

2024-25

Staff Handbook

Principal Allison MacGregor Fornes
Assistant Principal Catarino Rodriguez

10901 27th Ave SE
Everett, WA 98208
Telephone: 425-385-7300

Everett Public Schools Mission

Inspire, educate, and prepare each student to achieve to high standards, contribute to our community, and thrive in a global society.

Everett Public Schools Vision

Our students will lead and shape the future.

They will be well-rounded, healthy, and flexible thinkers with a global perspective who can access resources and collaborate. They will demonstrate empathy, pride, and advocacy for self, school, and community while respecting the diversity and worth of others. They will acquire the knowledge, attitudes and skills to adopt to the emerging needs of a changing world.

Everett Public Schools Core Values

Our core values drive our actions and behavior.

Learning: We believe each student has the ability to learn and achieve to high standards.

Equity: We honor and support each student's right to learn and achieve.

Integrity: We act in good faith, serving others with honesty and dignity. We serve as steward of the public trust.

Passion: We are passionate about teaching and learning.

Respect: We value differences among people and treat one another with respect.

Diversity: We embrace diversity as an essential asset: we are inclusive and treat our differences as a core strength.

Collaboration: We believe in learning and working together, the value of diverse views, and the power of collective wisdom.

The Mission of Monroe Elementary School

Our mission is to empower each student to become a resourceful, responsible, lifelong learner in a secure, positive learning environment where each person feels worthy and respected through the support of family, community, and staff.

Everett Public Schools Strategic Plan 2021-2026



Priority Student Outcomes

These are the six measurable outcomes of the 2021 strategic plan which will guide our work over the next five years.



General Building & Staff Procedures

ABSENCES

Staff are responsible for informing the district of any absence by using Frontline Absence Management.

Below are a few absence-related procedures. It is important to adhere to each of these to make sure we are meeting the needs of our students.

- Staff are responsible for informing others of their absence through Frontline. Please see Bianca if you need training related to this system or have any questions related to reporting an absence.
- Staff must report their absences personally – Bianca cannot enter absences for you. If you feel sick or are unsure if you will be absent the next day, please enter the absence in Frontline as this provides us with the best opportunity to secure a substitute. It is easier to reassign or cancel a substitute than to find one in the morning.
- Certificated staff will enter their absence as either AM (8:00-11:45 am), PM (11:45 am-3:30 pm) or full day (8:00 am-3:30 pm). Substitute reporting times will coincide with the staff member's absence time.
- Classified staff must adjust their time to account for their normally scheduled day LESS their 30-minute unpaid lunch. When taking a partial-day absence, please adjust for your absence time and consider whether you are taking a lunch break during your shift. A "Note to Admin" in Frontline explaining the time you'll be absent and if you are taking a lunch is helpful to Bianca when she is reconciling absences. An incorrect reporting can result in an employee having too much or not enough time deducted from leave balances.

ACCIDENTS

If an accident occurs involving staff, it should be reported immediately to Allison, Catarino, or Bianca. You will also need to call 1-833-WCT-NURS to speak to a nurse. The nurse will advise you of next steps and will assist if an L&I Claim needs to be filed.

ASSEMBLY SEATING

For school assemblies, each class will have an assigned location in the gym. Please refer to the assembly seating chart prior to our first assembly.

BUILDING MEETINGS

Unless otherwise noted, staff meetings will be held on the second **Tuesday** of every month from 3:00 pm to 3:30 pm. The purpose of the meetings will vary. All certificated staff are required to attend, and all other staff members are always welcome at their own choice provided their attendance does not interfere with their after-school responsibilities.

BUDDY ROOMS

Each classroom teacher is encouraged to establish, embrace, and utilize a "buddy classroom." This is part of a schoolwide practice to respond to student behaviors that do not meet our SOAR expectations. Please utilize your Buddy Room if your student needs a few moments to calm down or refocus on learning. Please follow the guidelines for Buddy Rooms in our PBIS Behavior Management Plan. Students may not be in the buddy room for more than 15 minutes without it becoming an exclusion.

As we all know, the underlying reasons that result in negative student behavior can be varied and complex. Behavior is often the expression of unmet needs including simple reasons (lack of sleep, hunger, dehydration) or far more complex matters related to social/emotional needs, family situations, trauma, etc. As educators, it is important that as we deal with unexpected behavior, we always analyze the root cause and how we can work with the students to meet their basic needs.

CALL BACKS AND EXTENSIONS

During the school year, various extensions and call backs will be utilized for meetings, training opportunities, or family events. Extensions of the workday and call backs shall not exceed twelve (12) hours in anyone (1) school year, and shall not exceed more than two (2) times a month, not to exceed 2.5 hours in any one day.

CLASSIFIED STAFF COMP TIME

Please note that prior approval from Allison is required to both bank and use comp time. In situations where this is not possible (such as staying late with a student who had a family emergency), please email Allison and, if applicable, your partner teacher by the following day to inquire how compensation for this extra time worked will be provided (comp time or pay). If comp time is to be taken, it needs to happen soon after it is banked. All comp time earned and used must be logged in the shared Classified Staff Comp Log spreadsheet, including who approved the time.

COPIES & PRINTERS

While photocopies are needed to provide quality learning materials for our students, we all know that funding is limited, and we must do our best to ensure that copies are 1) curriculum aligned, 2) educationally relevant, and 3) not available to the student(s) in any other format (example: digital version). We ask each member of our Monroe team to be thoughtful in the number of copies made and use the workroom copiers instead of classroom printers when possible. If there is a paper jam or the toner needs to be replaced in the workroom copiers, please notify Shannon for assistance. For color copies, please email requests to Shannon only when it is necessary to use color ink.

EARLY DISMISSAL PROCEDURES FOR WEATHER AND OTHER EMERGENCIES

In the case of an early dismissal from school for weather or other emergencies, staff are required by contract to remain on campus until all students have been safely dismissed.

EMAIL

As a reminder, staff are to check their email each day. Email is considered a central form of communication. All messages on the Everett Public Schools email system are public record. No privacy is guaranteed for any message sent on this system. Never send a message you would not want to see appear in the newspaper, court records, etc.

In addition, please refrain from long conversations with parents/guardians via email. Short informational messages about homework, missed assignments, etc. are fine. If the back and forth continues, please consider a phone conference and/or meeting.

EVALUATION LIST

Staff will be notified of their evaluator at the start of the school year.

FIELD TRIPS

All field trips must be approved by the principal. Each field trip requires a teacher coordinator, in addition to the classroom teachers, to manage the process. If you are coordinating a field trip, please confirm with Bianca that the date does not conflict with our school calendar and request a field trip packet from her. Please note the timeline below:

- The completed packet must be returned to Bianca no less than one month prior to the field trip.
- No less than two weeks prior to the field trip, copies of the completed student permission forms must be turned in to the Health Room, lunch order forms (if applicable) must be turned in to the kitchen, and copies of the Adult Volunteer forms must be submitted to Shannon so she can confirm each person has been approved by the district to volunteer.
- On the day of the field trip, teachers will check in with the Health Room to pick up the first aid kit and any student medications. This emergency bag can only be handled by the teacher assigned to the bag. Any student with emergency medication must remain with the teacher delegated to administer the medications for the entirety of the field trip.

Please also note only staff and approved volunteers can oversee the students. No adult visitors should join a field trip group, even if the field trip destination is open to the public. Allowing visitors who are not approved volunteers to join one of your groups is a risk to the safety and wellbeing of the students.

GUEST TEACHERS

Guest teachers are a critical and valued part of our education program at Monroe. In alignment with the previously mentioned absence-related information, team members are expected to carefully prepare for any absence, whether pre-arranged or sudden, including the creation of quality operational and instructional plans. Please consider and adhere to each item below as you work in partnership with any guest teacher.

- Ensure that your learners clearly understand your expectations when your class is being taught by a guest teacher.
- Share quality, time-specific lesson plans, class lists, updated seating charts, and other pertinent operational information with your guest teacher.
- Leave enough work for the guest teacher to complete once the students have been dismissed. Full day and PM half-day guest teachers are paid until their shift ends at 3:30 pm.
- Leave emergency lesson plans in your classroom should extenuating circumstances occur that prevent you from leaving date-specific plans. Please keep these plans updated with current class lists, seating charts, and other needed information.
- Preferred guest teachers can be requested through Frontline Absence Management.

GUEST TEACHER SHORTAGE COVERAGE SCHEDULE

When there is no guest teacher for an absent classroom teacher, we will follow the Monroe Substitute Shortage plan. The Monroe team members listed below will cancel their own classes to cover the classroom. Teachers missing planning due to the cancelation of a specialist class will be compensated through TimeCard Online. The coverage rotation is as follows:

- Allix Judy (Instructional Coach)
- Katie Dibert (ML Coach)
- Jonathan Blaylock (Art)
- Catherine Freeburg (Music)
- Sean Granstrom (PE)
- Kerry Qualey (Library)

KEYS, BADGES, AND SECURITY

Please see Bianca if you need a building or room key. Keys will be issued to you after administrator approval. Please carefully follow these guidelines for school keys and badges:

- Sign a record for each key issued to you.
- Always keep your building keys and badge with you. Keys are *never* to be given to students, volunteers, or visitors.
- Please remember to wear your badge in an easily visible location whenever you are on campus.
- Report the loss or theft of your keys or badge to Bianca immediately. Bianca will have to report the loss/theft to an administrator who is required to notify the maintenance department of a lost key. To obtain a new badge, one must be purchased at the CRC at the employee's expense.
- Do not duplicate keys. Doing so is a serious violation of district policy.
- Return keys to campus areas when they are no longer needed.
- MOE team members may request to retain their keys and badge during summer break; however, they must verify the numbers on their keys and badge with Bianca annually (prior to summer break).
- When you are on campus outside of normal business hours, please disarm the building using the Sonitrol keypad in the hallway by the staff parking lot doors and use the sign-in/sign-out whiteboard located in the hallway near the staff breakroom. If you are the last to leave, remember to arm the building.

LAMINATING

There is one laminating machine at Monroe located in the workroom. Due to the high cost of laminating materials and maintenance costs, lamination should be reserved for items that will be used repeatedly or will be up on the wall for a long period of time. Please be cautious when using the machine, as we want to preserve its functionality for as long as possible.

LATE START PROCEDURES FOR WEATHER OR OTHER EMERGENCIES

Staff will receive a phone call or email notification if school will start late. When inclement weather or other emergency conditions may delay the start of the school day or cause a school cancelation, we highly recommend that you listen to the major area radio and TV stations for updates.

Please remember in case of a late start, all team members are expected to arrive to school as close to their regular workday start time as is safe and are to follow the District Inclement Weather policy regarding entering leave if working less than their scheduled hours.

LEAVING CAMPUS

If you leave campus during the school day, and the absence is not recorded in Frontline, you will need to sign out on the clipboard in the office. This way, our team knows your location in case of a drill or an actual emergency.

LUNCHES AND BREAKS

Classified staff may not work through lunch or breaks, or extend their lunch break beyond a half hour, unless there are extenuating circumstances. The employee must obtain prior approval from Allison or Catarino.

MAILBOXES IN WORKROOM

Teachers should check their mailboxes daily to ensure messages get to parents in a timely manner. Please leave instructions for your guest teacher to do so as well. Only emergency messages will be delivered to the classroom. Teachers should not send students to the office to retrieve mail.

MULTI-TIERED SYSTEM OF SUPPORTS (MTSS)

The MTSS team meets on Tuesday and Wednesday mornings. The primary purpose of the team is to make decisions or recommendations about students who are struggling at Monroe. If teacher intervention produces unsuccessful results, teachers should refer students to the school counselor. Please refer to the Monroe MTSS Flowchart for guidance.

ROOM CLEANUP

Keeping our school and classrooms in the best possible shape for our learners is a responsibility we all share. Our custodial team is impressive, but they can only do so much to help us prepare for the next school day. In fact, our team can only allocate a few minutes per space to clean our entire campus each evening. As a team, we can help ensure that our environment remains clean and focused on the learning needs of our students from the moment they enter school each morning. Here's how you can help:

- Please make sure our students share a collective understanding and responsibility for the cleanliness of our school (including their personal spaces – desks/lockers). This commitment exists throughout the school day and within each space. All students should participate in room clean-up before dismissal time.
- Stack chairs or place chairs on desks/tables to help ease vacuuming.
- Remove paper, pencils, books, crayons, etc. from the floor.
- Keep counters and storage areas neat and free of clutter.
- Remove containers, jars, brushes, cups, etc. from sinks.
- Prepare instructional materials for the next day.
- Put away snacks and thoroughly clean up messes. Gum and sticky snacks are not permitted in the classrooms.

STAFF MEMBERS' CHILDREN WHO ATTEND MONROE

Having the family together is a wonderful benefit to your family and our school community. With the joy of having your child at Monroe comes a few clear boundaries that we ask you to communicate to avoid confusion that can occur between personal and professional responsibilities.

- Please ensure that you are supervising your child outside of school hours.
- At 8:10 am, please ask your child to proceed to the cafeteria for breakfast or to their AM class line.
- Please make plans for your child as they are not to be on campus during LID days, parent-teacher conferences, or staff meeting extensions.
- Students are not to be present during shorter meetings of any kind (staff meetings, IEP/504s, parent meetings, etc.).

STAFF NEWSLETTER

To help you prepare for the coming week, the staff newsletter will be emailed each weekend and will be posted in TEAMS. Schedules for the week, calendar changes, important news, and other critical information is included. The information in the staff newsletter is for staff only. Students and parents should not have access to this information. Please keep your copies in a secure location.

TEACHING SUPPLIES

Materials and supplies are available in the workroom for your use. If you cannot find needed items, please check with our office team as items may be in storage or in need of ordering. Please take only what you need, keeping in mind that Bianca orders supplies each month.

VISITORS & VOLUNTEERS

The terms “visitors” and “volunteers” can be used interchangeably but involve different purposes and processes. Please note the differences below:

- A visitor is often on campus for a short period and is always in the presence of a Monroe staff member. Visitors do not work directly with any child, other than their own. Examples of visitor activities may include brief class visits, meetings with a Monroe staff member, or attending an assembly.
- Volunteers are often on campus with some regularity and may be working with students. They require district approval including a background check. Volunteering may consist of helping in the classroom, serving as part of Field Day or another in-school event, or chaperoning a fieldtrip.

We ask that you keep the differences between visitors and volunteers in mind as you work with parents/guardians in your classroom, on field trips, etc. Regardless of whether a parent is a visitor or a volunteer, they need to begin their time on campus by signing in at our office and obtaining a badge. Please notify our office in advance if you are expecting a visitor or volunteer and have Shannon confirm their volunteer approval status.

VOICE MAIL

To facilitate communication with parents, teachers are requested to update their voice mail regularly and to check their voice mail daily. Please remember to answer voice mails within 24 hours of receipt.

WORKDAY

According to state law, district policy, and as stated in the Collective Bargaining Agreement (Section 9.01A), “The normal working day for full-time employees shall be seven and one-half (7 ½) hours, inclusive of the duty-free lunch period.” At Monroe, our normal workday for certificated staff is 8:00 am to 3:30 pm, except for those days with modified work schedules or when a workday extension has been scheduled. Hours for classified staff will be clearly communicated on an individual basis.

Student/Instructional Information

ARRIVAL/MORNING PROCEDURES

Families may drop off students after 8:10 am, which is when school supervision begins. All students will have the opportunity to eat breakfast each morning until 8:25 am. All our students should be at school and in their classroom line by 8:30 am.

Kindergarten students are to line up in the covered, gated area near the front entrance (Eagles’ Nest); first through fifth grade students will line up in their classroom line in the gym. All students, including bus students will enter through the front doors. This will support maintaining security and safety during arrivals. Students receiving special education services may arrive through the side door accompanied by their class paraeducators.

Teachers pick up students when the first bell rings, and everyone walks to class together.

Parents may pick up their children at the front of the school at the designated dismissal time (2:50 pm Monday – Thursday, 1:35 pm on Friday). Unless part of a student club or other special, supervised activity, students should depart the campus by the time supervision ends at 3:00 pm.

Please refer to the Arrival and Dismissal maps at the end of this handbook.

ATTENDANCE

Attendance needs to be completed by each classroom teacher, via Gradebook, by 9:05 am. Absence notes from parents/guardians are to be turned into the office daily. Students who are tardy must report to the office for a tardy pass before entering class. To avoid additional phone calls and upset parents, please be sure to report known absences and appointments to our office staff.

BICYCLES, SCOOTERS, ETC.

Per Everett Public Schools policy, students in grades three and above are allowed to ride bicycles to and from school. Students must walk their bicycles on campus, wear a helmet, and lock the bike in the bike rack near the covered area at the back of the school. Skateboards, hoverboards, scooters, roller blades and similar devices may not be ridden on district property, and the district cannot be responsible for the loss or theft of these devices or any other student property.

COMMON AREA SUPERVISION

All staff are responsible for student behavior in common areas. It is important to be sure each child knows what is expected regarding behavior, rules, and regulations ([SOAR Matrix](#)). We ask that classroom teachers teach behavioral expectations for the cafeteria, playground, office, and hallways. It is critical that all students understand that every member of our Monroe team has the same authority and commands the same respect as their classroom teacher.

CONFERENCES

Regular parent-teacher conferences are scheduled in the fall and spring for all grades. In addition to these conferences, teachers are encouraged to maintain close contact with parents/guardians through regular newsletters or updates and as needed, calls, classroom visits, and specially-called meetings.

DISMISSAL

Upon dismissal, students are to leave the school grounds and go directly home or to their designated childcare location via bus/van. Exceptions will be made for students assigned to special tasks, activities, or projects. Teachers are to walk all students down to parent pick-up in front of the school in the following manner:

- Kindergarten exits from classrooms through rooms 101 and 102 to enter the Eagles' Nest. First floor classrooms exit through the main doors. Second floor classrooms 207, 208, 221, 222, and 225 go down the green stairs and out the main doors. All other second floor classrooms go out the second floor NW door, down the cement stairs near the portables, and through the gate.
- Students who ride the bus home or take transportation to daycare will proceed responsibly to the gym to line up and wait in their designated line.
- All students being dismissed early must be picked up by a parent/guardian from the office.
- Any change in afternoon transportation must be communicated in writing by the parent/guardian. If a parent/guardian contacts the teacher to let them know their child will be going home in a way that is different from the norm, teachers are to notify the office immediately so they can verify and communicate the change to our entire dismissal team. If you do not receive a goldenrod Change in Way Home note or call from the office, the student is to go home their normal way.

Please refer to the Arrival and Dismissal map with directions at the end of the handbook.

FORGOTTEN ITEMS FROM HOME

Parents/guardians should deliver forgotten lunches, coats, etc. to the office rather than disturbing a class in session. Our office team will call the student down to pick up the item.

HALLWAY PASSES

All students traveling in the hallways need a pass that indicates their destination, unless they are accompanied by an adult. Our office staff will provide passes for each teacher. Teachers may also have a classroom-specific helper/bathroom pass. Students found in the hallways without passes will be escorted back to their classroom.

ILL/INJURED STUDENTS NEEDING CARE

Students who are ill or need immediate care should be sent to the health room. Please send the student with a hall pass or contact the health room at x7306 before sending the student. Please see the additional notes below:

- Teachers are encouraged to use their best judgment in referring students to the health room as some situations can be minor and require little or no care.
- In situations that involve a notable injury or illness, staff are to refer students for care in our health room.
- It is the responsibility of the teacher or assigned duty person to fill out an accident report form for an injury. Please connect with Judi with any questions related to these forms.
- The check-out procedure for students being sent home from school before dismissal time due to illness or injury is as follows:
 - The health room assistant will notify the parent or emergency contact that they need to pick up the student. Depending on the situation, the student may be sent back to class to retrieve their belongings, or the health room assistant may call the teacher and request that another student bring the belongings to the health room.
 - Upon arrival, the parent or emergency contact must sign out the student prior to leaving the building.

INSTRUCTION MATERIALS POLICY

Our district has selected instructional programs for ELA, math, and science. When choosing supplemental materials, please adhere to district policy. For EEA contract-specific language related to instructional materials, please see EEA/HSD Collective Bargaining Agreement – Section 9.07 (B) – Prerogatives of Certified Staff (below).

Excerpt from 2021-2024 Collective Bargaining Agreement (EEA):

The parties share a mutual interest in delivering high quality instruction in all subject areas and further agree as follows: 1. A curriculum that requires instructional staff to use the same lessons at all times or requires identical instructional strategies for all students may not be universally appropriate for an effective educational program. 2. Teachers may exercise professional judgment (i.e., expertise, insight and creativity) in determining when and how to adapt or modify lessons and use intervention tools to meet the diverse needs of students to achieve unit and lesson objectives within established curriculum. 3. If an administrator adjusts an individual student grade, the administrator will inform the instructor of record.

MONEY

No money should be left at school overnight. Also, please note that money should not be left in the student desks during the day. At Monroe, students are not required to pay for breakfast or lunch, so students are likely to bring money only to take part in PTA-hosted events.

PBIS

Monroe Elementary uses **P**ositive **B**ehavior and **I**ntervention **S**upports as the school-wide code of conduct. Students are recognized and celebrated for following expectations and are retaught or given extra support when expectations are not met.

PHONES AT SCHOOL (STUDENTS)

EPS District Policy 3246 outlines PED and Cell Phone usage by elementary students: *Elementary and middle school students who choose to bring cell phones and other PEDs to school may only use them before or after the school day. During the school day, all cell phones and other PEDs must be powered off and stored (e.g., in the student's backpack, locker, other district provided storage).*

As students bring phones to school, please ensure that these are stored in their backpack, within their locker (away from the learning environment).

RECESSES

All students are to go outside during recesses unless 1) they are awarded a special recess by their teacher and/or principal/assistant principal, 2) they have been assigned an alternate recess as a part of a behavioral plan, or 3) they have a note from a parent/guardian indicating they must remain indoors for health reasons. If a parent/guardian is requesting indoor recess for health reasons, please alert our health room assistant so they can follow up and determine if further restrictions are needed.

Please remember that students should never remain in the classroom unsupervised as we are liable in the event an incident occurs with unsupervised students. When the weather is inclement, as determined by the supervision paras, students will play under the covered area.

SCHOOL ACTIVITIES

All school activities, assemblies, clubs, guest speakers, or related activities held in the school (other than the authorized curriculum) must be approved by the principal prior to it being implemented.

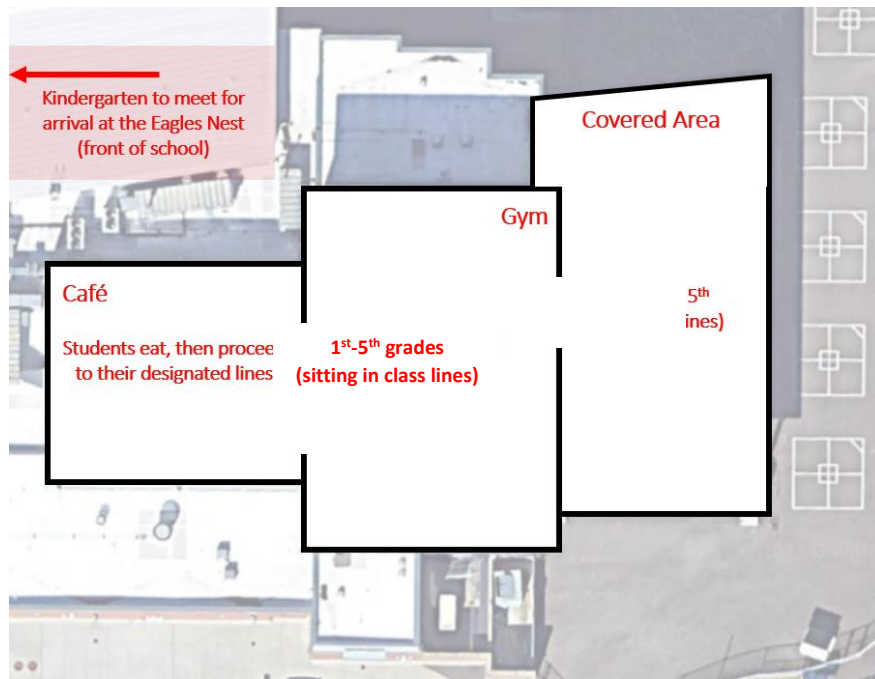
TELEPHONE

In terms of school phones, please know that students will not be allowed to use the phone during the day unless there is a specific emergency and permission. Teachers should take into consideration the student's age, purpose of the call, and potential to disrupt the learning environment and use their professional judgement when allowing them to use the classroom or office phone. Arrangements for visiting friends after school, or similar personal issues, are not considered an emergency and should be made at home. If students will be answering your classroom phone, please teach them how to appropriately answer.

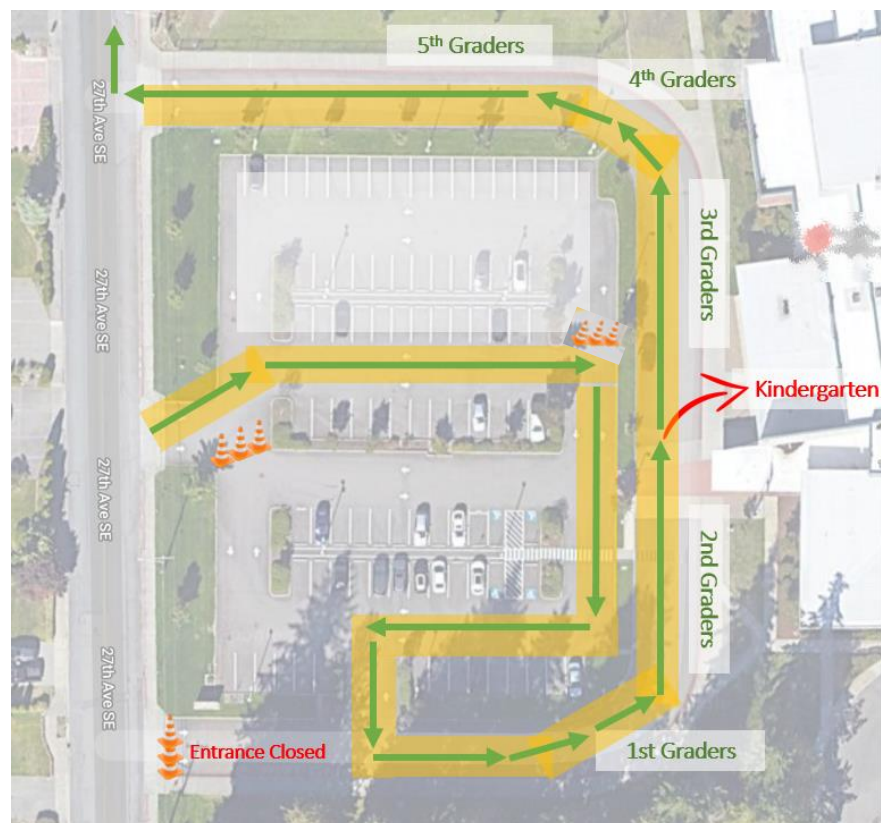
WITHDRAWAL FROM SCHOOL

When a student is withdrawn from our school in the middle of a grading period, it is important to provide the receiving school with some evidence of the progress that has taken place since the last grading period. When requested by Shannon, please fill out a progress report.

AM Line-up Locations



PM Pick-up Route





Employee Handbook

2024-25 School Year

Board of Directors

Traci Mitchell
Jen Hirman
Charles Adkins
Caroline Mason
Roman Rewolinski

Superintendent

Dr. Ian B. Saltzman

Deputy Superintendent
Chief Academic Officer
Regional Superintendent
Regional Superintendent
Asst. Supt. Human Resources

Dr. Peter Scott
Dr. Shelley Boten
Dr. Pete Misner
Dr. Cathy Woods
Dr. Chad Golden



Welcome to Everett Public Schools

Everett Public Schools is in one of the fastest-growing counties in Washington State. Our school district aims “*to ensure each student learns to high standards.*” You are joining a staff of highly dedicated people who are committed to student achievement.

This handbook is designed to help you understand employee benefits. While some policies, procedures, and benefits are identified in it, it is important to understand that it is not meant to include all information. You may refer to the [district website](#), which has extensive information that may answer your questions. The human resources staff can provide you with any additional information you may need.

Everett Public Schools does not discriminate in any programs or activities based on sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained dog guide or service animal and provides equal access to the Boy Scouts and other designated youth groups. The following employees have been designated to handle questions and complaints of alleged discrimination:

Title IX/Civil Rights Compliance Officer

Chad Golden
PO Box 2098, Everett WA 98213
425-385-4100
CGolden@everettsd.org

Section 504 Coordinator

Dave Peters
PO Box 2098, Everett WA 98213
425-385-4063
DPeters@everettsd.org

ADA Coordinator

Chad Golden
PO Box 2098, Everett WA 98213
425-385-4100
CGolden@everettsd.org

Translated versions of this statement can be accessed at:

<https://docushare.everett.k12.wa.us/docushare/dsweb/View/Collection-4736>

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Strategic Plan

Everett Public Schools has been guided by a long history of having a strategic plan that serves as a framework to provide long-term direction in the district. Annually, the Board of Directors reviews the district's progress in implementing the objectives and their accompanying strategies.



Mission

Inspire, educate, and prepare each student to achieve to high standards, contribute to our community, and thrive in a global society.

Vision

Our students will lead and shape the future.

Our students will be well-rounded, healthy, and flexible thinkers with a global perspective who can access resources and collaborate. They will demonstrate empathy, pride, and advocacy for themselves, the school, and the community while respecting the diversity and worth of others. They will acquire the knowledge, attitudes, and skills to adapt to the emerging needs of a changing world.

Core Values

Our core values drive our actions and behavior.

Learning Equity Integrity

We believe each student has the ability to learn and achieve to high standards.
We honor and support each student's right to learn and achieve.
We act in good faith, serving others with honesty and dignity. We serve as stewards of the public trust.

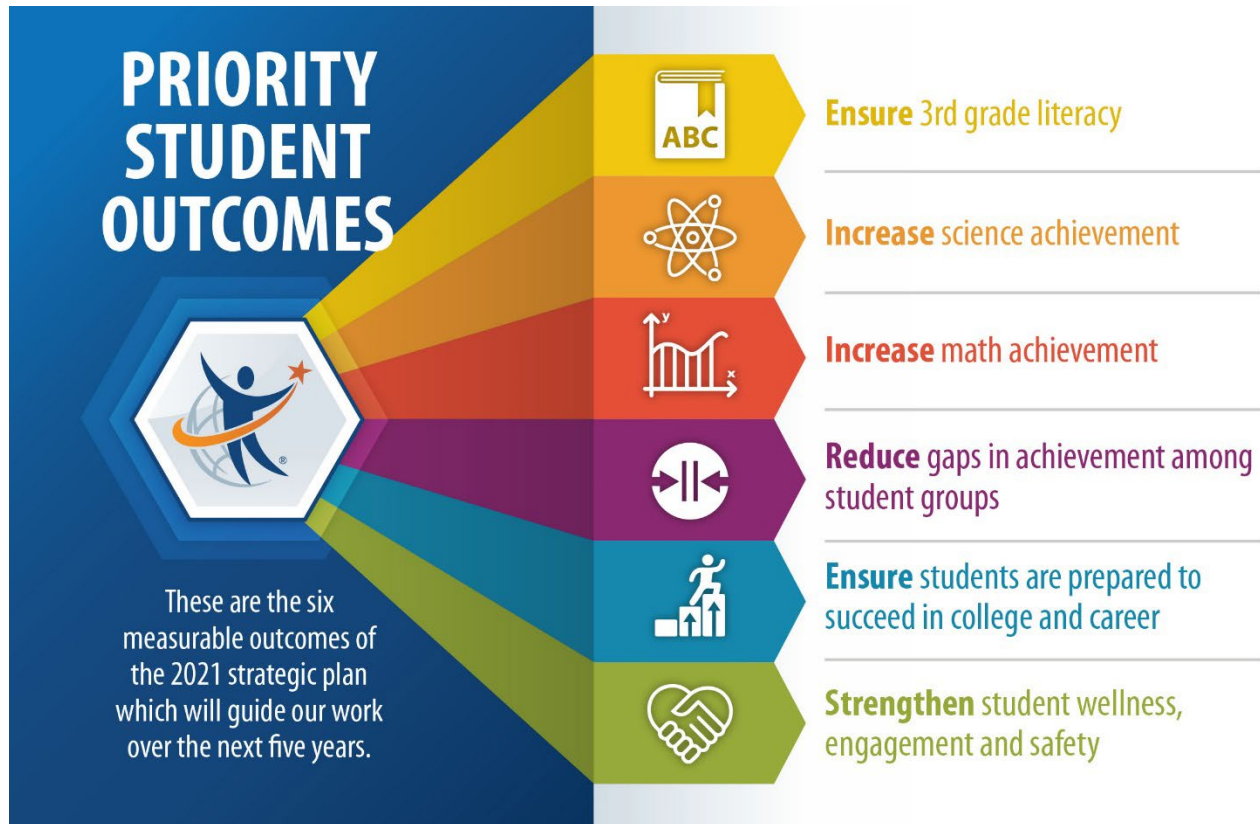
Passion Respect Diversity

We are passionate about teaching and learning.
We value differences among people and treat one another with respect.
We embrace diversity as an essential asset, are inclusive and treat our differences as a core strength.

Collaboration

We believe in learning and working together, the value of diverse views, and the power of collective wisdom.

Strategic Plan Priority Student Outcomes



Calendars and Collective Bargaining Agreements

Click the links below to access the student calendar, employee work calendars, and collective bargaining agreements.

[Student Calendar](#)

[Employee Work Calendars](#)

[Collective Bargaining Agreements](#)

Policies and Procedures

Below are district policies and procedures that directly relate to you as an Everett Public Schools employee. Please click the link provided below to review this important information.

[Policy 3205/Procedure 3205P](#) Sexual Harassment of Students

[Policy 3213/Procedure 3213P](#) Gender-Inclusive Schools

[Policy 5010/Procedure 5010P](#) Affirmative Action and Nondiscrimination

[Policy 5140](#) Tobacco or Tobacco-Like Product Use Policy

[Policy 5150](#) Drug-Free Workplace

[Policy 5160/Procedure 5160P](#) Sexual Harassment

[Policy 5161](#) Civility in the Workplace

[Policy 5215](#) Conflicts of Interest

[Policy 5225/Procedure 5225P](#) Technology

[Policy 5253/Procedure 5253P](#) Maintaining Professional Staff/Student Boundaries

[Policy 5320/Procedure 5320P](#) Leaves of Absence

[Policy 5320.9/Procedure 5320.9P](#) Family, Medical, and Maternity Leave

[Policy 5406/Procedure 5406P](#) Shared Leave Program

Mandated Training Requirements

In compliance with state regulations, Everett Public Schools requires all employees to be trained on the following subjects through *Vector Training*. These trainings are a condition of employment and should be completed during the scheduled workday for non-exempt employees (e.g., paraeducators, office personnel, custodians, food and nutrition, trades, nurses, etc.). If unable to complete the training during a regular workday, it is up to the supervisor to allocate additional time.

Every year, the law requires each staff member to receive training in:

- Bloodborne Pathogen Exposure Prevention
- Bullying: Recognition & Response
- Health Emergencies Overview
- McKinney-Vento Homeless Assistance Act
- Responding to Civil Rights Complaints in EPS
- Staff Handbooks & District Policies and Procedures

Every three years, which included the 2019-20 school year, the law requires each staff member to receive training in:

- Boundary Invasion

Upon new employment to the district, in addition to the training listed above, it is required new staff members receive training in the following:

- Back Injury and Lifting
- Bloodborne pathogen Exposure Prevention
- District Employee Handbook
- What Every Employee Must Be Told

If you have questions regarding these mandated training and the *Vector Training* system, please contact Carol Parris at 425-385-4127 or cparris@everettsd.org.

All Safe Schools training must be completed by October 31 of each school year or 30 days after hire.



Maintaining Professional Boundaries between Employees and Students

The board of directors expects all employees to maintain the highest professional, moral, and ethical standards in interactions with students. All staff members must maintain an atmosphere conducive to learning through consistently and fairly applied discipline and established and maintained professional boundaries.

The interactions and relationships between employees and students should be based upon mutual respect and trust, an understanding of the appropriate boundaries between adults and students in and outside of the educational setting, an understanding of child development, and consistency with the educational mission of the schools.

Employees are expected to exercise common sense and good judgment in their interactions with students. Employees will not intrude on a student's physical or emotional boundaries unless necessary to serve an educational, physical, mental, and emotional health purpose. An educational purpose is one that relates to the employee's duties in the district. Additionally, when interacting with students, employees are expected to be aware of and sensitive to the appearance of impropriety in their own conduct and the conduct of other employees and volunteers. Employees will report issues to their building administrator, supervisor, or human resources staff whenever they suspect or are unsure whether conduct is inappropriate or violates this policy.

A staff member who knows or has reasonable cause to believe that a student has been a victim of physical abuse or sexual misconduct by another staff member is required by law to report such abuse or misconduct to the appropriate school administrator. If the school administrator has reasonable cause to believe that the misconduct or abuse has occurred, he or she shall cause a report to be made to the proper law enforcement agency. While making a reasonable cause determination, the school administrator shall contact all parties involved in the complaint.

The board of directors supports using technology to communicate for educational purposes. However, employees are prohibited from online socializing with students or using technology with students that violates the law, district policies or procedures, or other generally recognized professional standards. Employees whose conduct violates this policy may face discipline and termination.

Reference: Board [Policy 5253](#) and [Procedure 5253P](#)

Duty to Report Physical Abuse & Sexual Misconduct

[RCW 26A.26.030](#) requires both certificated **AND** classified employees who have knowledge or reasonable cause to believe a student is a victim of physical abuse or sexual misconduct by another school employee to report the abuse or misconduct or shall cause a report to be made to the school administrator. The administrator is then required to report the abuse to the proper law enforcement agency in accordance with the mandatory reporting requirements if the administrator has reasonable cause to believe the abuse or misconduct occurred. A school district must, at the first opportunity, but in all cases, within 48 hours of receiving a report of sexual misconduct by a school employee, notify the parents of a student alleged to be the victim, target, or recipient of the misconduct.

It should be noted that this does not change the previous requirement of school professionals to report to the proper law enforcement agency or the Department of Social and Health Services (CPS) if the professional has reasonable cause to believe that a child has suffered abuse or neglect.

Reference: Board [Policy 3421](#)/[Procedure 3421P](#)

State of Washington Code of Professional Conduct

Education Practitioners * Teachers * Educational Staff Associates * Administrators

[Chapter 181-87 WAC](#) PROFESSIONAL CERTIFICATION—ACTS OF UNPROFESSIONAL CONDUCT

WAC Sections

[181-87-003](#) Authority.

[181-87-005](#) Purpose.

[181-87-010](#) Public policy goals of chapter.

[181-87-015](#) Accountability for acts of unprofessional conduct.

ADMINISTRATIVE PROVISIONS

[181-87-020](#) Applicability of chapter to private conduct.

[181-87-025](#) Exclusivity of chapter.

[181-87-030](#) Prospective application of chapter and amendments.

[181-87-035](#) Education practitioner—Definition.

[181-87-040](#) Student—Definition.

[181-87-045](#) Colleague—Definition.

ACTS OF UNPROFESSIONAL CONDUCT

[181-87-050](#) Misrepresentation or falsification in the course of professional practice.

[181-87-055](#) Alcohol or controlled substance abuse.

[181-87-060](#) Disregard or abandonment of generally recognized professional standards.

[181-87-065](#) Abandonment of contract for professional services.

[181-87-070](#) Unauthorized professional practice.

[181-87-080](#) Sexual misconduct with students.

[181-87-085](#) Furnishing alcohol or controlled substance to students.

[181-87-090](#) Improper remunerative conduct.

[181-87-093](#) Failure to assure the transfer of student record information or student records.

[181-87-095](#) Failure to file a complaint.

The code of professional conduct is codified by the Washington State Legislature in WACs and RCWs. Use this [link](#) for the complete rules and regulations.

Complaints or request for additional information may be addressed to:

Office of Professional Practices
Superintendent of Public Instruction
Old Capitol Building, Po Box 47200
Olympia, WA 98504-7200

<u>WAC 392-190</u> Equal Educational Opportunity—Unlawful Discrimination Prohibited

Recommendations Regarding Touching Students

Everett Public Schools aims to protect each student and employee's health, safety, and welfare.

Touching children in the school setting has positive educational aspects. However, touching children carries a risk that the educator may be accused of improper touching. Thus, an educator must exercise conscious judgment in determining whether to touch students and under what circumstances.

To exercise good judgment regarding touching, the educator must consider several factors:

1. Age of the child
 - a. *Kindergarten - second grade*: It is virtually impossible to avoid touching students of this age in a classroom. However, as students grow older, the acceptability of touching and hugging decreases.
 - b. *Middle grades*: Female children are extremely conscious of their sexuality from grades four through nine. Numerous accusations of improper touching in schools occur in this age group. Females of this age are very sensitive regarding their breasts and often view touch on the shoulder or back as sexual in nature. Girls in this age group are also extremely sensitive regarding remarks about their clothing and physical appearance. Typically, school employees get into trouble with this age group for patting knees, putting arms around shoulders, placing hands on waists, "looking at me funny," and snapping or rubbing bra straps.
 - c. *Higher grades*: Very little touching is acceptable with this age group. Educators most often get into trouble with this group when they attempt to counsel troubled children, especially about sexual or romantic matters. If it is not in your job description to counsel students, it is best not to do so.
2. Educator's sex

Males are perceived as sexual aggressors, and almost all accusations are leveled against male educators. Male educators must review their behavior carefully to ensure it cannot be misinterpreted.
3. Cultural/personal factors
 - a. Some individuals and some cultures are very uncomfortable with any sort of touching. Educators need to be sensitive to students' individual and cultural preferences.
 - b. If a student indicates by word or action that he/she is uncomfortable with touching, the educator should avoid physical contact with that student unless such contact is necessary for safety reasons.
 - c. Children who have previously been sexually abused may misperceive a neutral touch as a sexual touch.

Some actions are common trouble areas, even if not tainted with improper motives. Such actions should be avoided when possible:

1. *Repeated one-to-one contact with an individual student*. For example, a teacher might assign a single child (or even two) to come early to the gym to help set up the day's classes. A better solution is to assign this privilege (chore) to two male and female students for a semester. Two other students would be selected in subsequent semesters.

2. *Social activities with students:* Take a student or two to the movies, invite students to the home, or visit students while they babysit. If you intend to use an out-of-school activity as a reward for academic performance or behavior, notify parents and consult with your principal well in advance in writing about the educational purpose of the reward.
3. *Driving students in cars.* Students who are in cars with educators often say they were molested. A Type II school activity driver's authorization is required for all district employees to operate a district or private motor vehicle to transport students to and from school-related activities. Coaches, educators, and activity advisors are discouraged from transporting students. If this appears necessary, consult with an administrator in advance for guidance.
4. *Giving gifts to students.* If you wish to give gifts to reward students, discuss such gifts with the principal before they are given. Never give a student an expensive or personal gift such as perfume or flowers. Notify parents and principals in writing of the reward system and its educational purpose.
5. *Writing cards, notes, or letters to students.* Be particularly careful what is written in annuals. Use a professional, distant name format, such as "Thomas Brown" rather than "Tom" or "Brownie." Do not tell or write students that you "love" them.
6. Other actions will be grounds for discipline and are very difficult to explain:
 - a. *Any request for affection:* "Give me a hug; give me a kiss," etc.
 - b. *Any touching* except on the shoulders, back, and arms. Even this is dangerous with girls in grades four and on. Avoid lingering touches, such as shoulder massages.
 - c. *Requests for sex or dates.*
 - d. *Any lascivious or sexual remarks* of any sort, even those that are jokes.
 - e. *Remarks about body parts* - "You have great legs," "I wish my wife were built like you," "I'm bigger than your boyfriend." Remarks about appearance and dress are also questionable (e.g. "You're a pretty girl." or "You should wear that sweater more often.")
7. *Sexual contact with any student.* State law criminalizes sex between school employees and high school students – even those who reach the age of majority while registered as students. Any sex between a school employee and an enrolled student up to the age of 21 is considered criminal behavior. For employees, a "student" includes:
 - a. anyone currently supervised by the educational practitioner,
 - b. anyone currently under the age of 21 whom the educational practitioner has ever supervised,
 - c. anyone enrolled in any school or district attending an activity where the educational practitioner performs duties.
8. *Giving alcohol to students* or former students under age 21. Lending identification to underage students so they can obtain alcohol.
9. *Bringing pornographic materials* to school is prohibited, including sharing pornographic materials with students.

Accident Prevention and Employee Safety

Introduction

The Employee Safety and Health Handbook is offered to familiarize employees with the District's Accident Prevention Program. This program was developed to establish a safe and healthy work environment. The elements of this program cover a broad spectrum of areas, all designed to prevent accidents and injuries. Taken individually, the program elements have minimal effect, but as an integrated program, with the support of employees at all levels, it can reduce the frequency and severity of job-related injuries to district employees. It is required that you take some time to read through this information. After reading this handbook, ask your supervisor to answer any questions you might have.

Responsibilities

The **employer** is responsible for providing a safe and healthy workplace free from recognized hazards. Establish, supervise, and enforce safety rules. Provide the required safety training to all employees. Ensure that personal protective equipment is worn when tasks dictate. Investigate all accidents, regardless of severity.

The **employee** must know and comply with all safety rules and procedures. Immediately report all accidents to your supervisor. Identify and report all potential hazards and play an active role in creating a safe and healthy workplace.

Take personal responsibility for working safely and use common sense while performing your job.
Nothing we do is worth getting injured!

Safety Policy

This district provides all district personnel with a safe and healthful work environment. Our goal is to reduce the frequency and severity of accidental injuries by providing our employees with safety information and appropriate safety training to protect employee welfare.

Safety Rules

Safety Rules are established to reduce the frequency and severity of accidental injuries. All accidents are preventable. It is your responsibility to follow all safety rules pertaining to your job.

- ✓ Please ask your supervisor for specific safety rules for your job.
- ✓ All safety rules pertain to employees using common sense and being aware of the hazards of their work environment.
- ✓ Failure to follow safety rules could result in disciplinary action.

ID Badges

For the safety of students and staff, the district requires that all employees wear Everett Public Schools' photo identification badges during the workday. Employees will be provided with a photo ID badge upon employment. Human Resources will issue replacements for misplaced or stolen badges for a fee of \$20.00.

Accident Reporting and Investigation

Report all accidents to your supervisor. If you are injured on the job, you must fill out an "Accident/Incident Report" form even if you do not seek medical treatment.

If you are injured on the job and seek medical attention from a physician, you should also request and complete the "Industrial Insurance Claim" information provided by your site supervisor. This packet includes information that will guide you through the claims process.

Generally, you are not required to report accidents that result in minor injuries (cuts, bruises, and abrasions). If any of these injuries progress to conditions or complications beyond first aid, you should report this to your supervisor immediately.

First Aid Requirements

The District is committed to providing first aid training to enough employees at each work site. As per the law, we ensure at least one CPR/First Aid-qualified person per site. Please check with your site supervisor for a qualified person in your area. In addition, 'First Aid Kits' are readily available for employee use. Please check with your site supervisor for the location of your kit, ensuring you are always prepared for any situation.

Safety Committee

The District has a safety committee composed of management-appointed and employee-elected members. The main function of this committee is to monitor the effectiveness of the Accident Prevention Program. It accomplishes this by:

- ✓ Reviewing inspection reports from outside agencies.
- ✓ Reviewing accident investigations to ensure corrective actions have been taken.
- ✓ Investigating any hazards reported to them by employees.
- ✓ Providing safety information and meeting minutes to be posted on all district safety bulletin boards.

Safety and Health Training

The District is committed to continuous improvement in safety and health. To this end, ongoing safety and health education programs will be provided for all employees. These programs aim to increase awareness of accident causation factors, improve morale by demonstrating management's concern for their employee's safety, and promote acceptance of safety and health regulations by presenting accident prevention as a positive, desirable, and integral part of all activities.

Emergency Actions

All employees will be provided training on emergency actions during the employees' safety orientation or transfer to a new site. The emergency action plans developed for each location will be used as a training guide. Here are some important points to remember:

- ✓ Know your escape route in an emergency (fire, earthquake, etc.). Learn your emergency evacuation procedures and participate in fire and emergency evacuation drills.
- ✓ Know the location of emergency equipment (fire extinguishers, fire alarm stations, natural disaster kits).
- ✓ Become familiar with the district's Emergency Preparedness Plan (EPP), which addresses a variety of perils and actions to take in the event of an emergency or natural disaster.
- ✓ Please check with your supervisor for the location of your posted emergency escape route.

Hazard Reporting

A hazard is an accident waiting to happen! Please take some time to think about the daily hazards you encounter at work. Sometimes, an accident does not result in an injury. This type of accident is commonly called a "near-miss". A near-miss should be reported to your supervisor immediately. Your supervisor will investigate the incident and assess for corrective actions.

It's your responsibility!

- ✓ It is the employees' right and responsibility to report any unsafe act, condition, or procedure that they encounter.
- ✓ Report all hazards to your supervisor in writing or by email.
- ✓ If possible, all hazards will be corrected at the site level. Some hazards may require further assistance from your maintenance department for resolution.
- ✓ Hazard reporting forms are available on your Safety Bulletin Board.

Personal Protective Equipment

All employees whose positions require personal protective equipment will be provided instruction on using that PPE by their supervisor. The instruction will include:

- ✓ The requirement for the use, care, and maintenance of PPE.
- ✓ The issuance of PPE will be provided free of charge to each employee whose job requires its use.

- ✓ Performing any job without the use of the required PPE could result in disciplinary action.

Safety Bulletin Board

The Safety Bulletin Board is used to communicate safety-related information to employees. Know the location of your Safety Board. The Safety Bulletin Board will contain:

- ✓ Names of Safety Committee Members.
- ✓ Names of First Aid certified personnel.
- ✓ Emergency phone numbers.
- ✓ Safety Committee meeting minutes.
- ✓ WISHA/DOSH required posters.
- ✓ Hazard reporting forms.

Find out where the Safety Bulletin Board is located at your site.

DISTRICT SAFETY PROGRAMS

Hazard Communication Program

The Hazard Communication Program was developed to inform employees of the chemical hazards associated with products used in their work areas. This is known as the “Workers’ Right to Understand” standard for chemicals in the workplace. These standards state that:

- ✓ Employees will have access to SDS (Safety Data Sheet) information for all chemicals used in the workplace.
- ✓ Employees will be trained on using personal protective equipment associated with their chemicals properly.
- ✓ Required PPE will be provided free of charge.

Please Note: Employees are discouraged from bringing household chemicals to work. Please check with your supervisor before using any consumer-formulated cleaning product at work.

Science Laboratory Safety Program

The scope of this program is to ensure that employees working with hazardous chemicals in laboratories are informed of hazards, know the proper hazard evaluation methods, and know how to protect themselves from overexposure to chemicals. The district will designate a Chemical Hygiene Officer (CHO) to develop a written Chemical Hygiene Plan and provide yearly training to employees who work with chemicals in labs.

Lockout-Tagout Program

This program establishes the requirements for the lockout or tagout of energy sources. It is used to ensure that machines or equipment are isolated from all potentially hazardous energy and locked out or tagged out before employees perform any servicing or maintenance activities where the unexpected energization, start-up, or release of stored energy could cause injury.

Affected employees will receive specific training on the lockout or tagout procedures during their supervisor's initial job safety training. Each new or transferred employee and other employees whose work operations are or may be in the area shall be instructed on the lockout or tagout procedures.

Hearing Conservation Program

This program was developed to protect employees from potential hearing loss due to high occupational noise levels exposure. The district identifies all areas that exceed designated noise levels and takes preventative measures to reduce that exposure depending upon the noise levels.

Outdoor Heat Exposure Program (Heat Stress)

All employees whose positions require them to work outdoors in hot weather can result in serious illness or even death. Workers exposed to extreme heat may experience symptoms of heat-related illnesses (HRI), such as heat cramps, heat rash, heat exhaustion, fainting, heat stroke, and other symptoms.

Heat-related illness is also linked to injuries from falls, equipment operation accidents, and other on-the-job incidents. The *Outdoor Heat Exposure* rule applies from May 1 through September 30 every year when employees are exposed to outdoor heat at or above applicable temperature levels. Employees are encouraged to frequently consume water or other acceptable beverages to ensure hydration and understand the signs and symptoms of heat-related illness, how it affects their health, and how it can be prevented.

Respirator Program

This program establishes the requirement for the proper use of respirators, types of filters, fit testing, and training for employees who may be exposed to airborne toxins during the performance of their jobs. Affected employees will receive medical screening and specialized training before being required to wear a respirator.

Asbestos Management Program

The Asbestos Hazard Emergency Response Act (AHERA) regulates asbestos in schools. AHERA requires school districts to have a properly accredited asbestos manager, inspect the schools for asbestos-containing building materials, prepare a management plan, and provide asbestos-related notifications to parents, teachers, and employee organizations.

Fall Protection Program

This program was developed to protect district employees who may be required to perform tasks or operations ten feet or above a lower level. Affected employees will receive specialized fall prevention training.

Following these guidelines can prevent falls:

- ✓ Always use handrails when using stairs
- ✓ Use caution when walking on surfaces that contain ice, snow, rock, oil, water, or other adverse or unstable material or conditions.
- ✓ Immediately clean up spills
- ✓ Prevent fall hazards by keeping stairs, walkways, aisles, and walk areas clear of boxes, loose materials, wires, and other objects.
- ✓ Select shoes for comfort and safety compatible with your work environment.
- ✓ Do not stand or climb on a desk, chair, or other unstable surface to reach for an object. Use a ladder!

Confined Space Program

Under this program, all locations that meet the WISHA/DOSH definition of a confined space are identified and classified based on any hazardous conditions they may present. A confined space is large enough for an employee to enter or break the plane of entry, has restricted means of entry or exit, has unfavorable natural ventilation, and is not designed for continuous employee occupancy. Examples of confined spaces include but are not limited to Tanks, tunnels, trenches, vaults, manholes, sewers, and silos. The District shall identify and maintain a confined space entry policy and procedure. Do not enter a confined space or break the plane of entry with any part of your body if you are not trained in and have not fully implemented the confined space entry procedure.

Bloodborne Pathogens Exposure Control Plan

This program provides requirements to protect employees from exposure to blood or other potentially infectious materials (OPIM) that may contain bloodborne pathogens. Examples of bloodborne pathogens are the human immunodeficiency virus (HIV) and hepatitis B virus (HBV). Employees considered having occupational exposure to blood or other potentially infectious materials will receive further training.

Exposure Procedure

Post-exposure treatment may be necessary after direct contact with blood or other body fluids (including saliva), such as from a needle stick, cut, bite, or eye splash. Referral to Concentra must

occur as soon as possible after exposure, within 2 hours for HIV and 24 hours for Hepatitis B infection for provision of immediate protection.

What You Must Do If You Are Exposed

1. **Immediately wash** the exposed area with soap and water for at least ten seconds.
2. **Immediately notify** the building office manager to call the Nurse Triage Helpline at 839-928-6877.
3. **Immediately seek medical treatment** for a post-exposure medical evaluation at [Concentra](#), 3726 Broadway, Suite 101, Everett, WA, 98201. 425-239-7900. The healthcare provider at Concentra will determine if treatment is necessary. This confidential evaluation will be at no cost to the employee.

If the incident involves another individual (exposure source) because of an incident such as biting or an accident involving blood, the exposure source will be asked to go to Concentra for testing while the employee is sent for a medical evaluation. If the source of blood or other body fluid exposure is a child, it will be necessary to request for the parent/guardian to have the child tested.

An exposure is considered an on-the-job injury. Follow the instructions on the following page to file your claim at www.pswct.org.

WORKPLACE SAFETY GUIDELINES

Safe Lifting

Most back injuries result from improper lifting. Protect your back by practicing proper lifting and carrying techniques. Remember: It's easier to prevent a back injury than to recover from one!

Prepare the lift - Think about the load you'll be lifting. Ask yourself:

- ✓ Can I lift it alone?
- ✓ Do I need mechanical help such as a cart or dolly?
- ✓ Is it too awkward for one person to handle?
- ✓ Should I ask a co-worker for help, or split the load into several smaller ones?
- ✓ If you decide you can manage the load by yourself, follow the next steps.

Tuck your pelvis - Tighten your stomach muscles and tuck your pelvis. Tightening the stomach muscles automatically helps to support the lower back.

Bend your knees - Always bend your knees when lifting anything. This helps maintain your center of balance and lets the strong muscles in your legs do the work of lifting while protecting your back.

Hug the load - Bring the object you lift as close to your body as possible. Keep your back upright as you lift. Gradually straighten your legs to a standing position to lift the load.

Pick up the load—When you lift, Make sure your feet, knees, and torso are pointed toward the load. Come to an upright position, then pivot using your feet. As you carry the load, change direction with your feet, **not by** twisting your body. Twisting and lifting at the same time can overload your spine. When you are ready to set the load down, have your feet pointed toward the load.

Put the load down—If possible, choose a place other than the floor to set the load down so it will be easier to pick up if it must be moved again. Avoid lifting above your shoulder height.

Office Ergonomics

There is no denying that computers have forever changed the workplace. They have made organization and complicated tasks much easier for millions of workers each day. While computers have been helpful, they also can propose some ergonomic risks. Repetitive Strain Injury (RSI) can happen from repetitive motion of the hands and arms. Also, improper posture and positioning can cause back, neck, and eye strain. These injuries happen far too often in the workplace. Most of the

time, we think of on-the-job injuries from very physical activities, but the truth is that even some of the most common office tasks can lead to injury. Taking a few precautions can save you from much pain and suffering. Following some simple guidelines could go a long way in preventing RSI in the workplace.

Chair

- ✓ Set the height of your chair to support your feet with either a footrest or, if your workstation height will allow, place them flat on the floor, supporting your feet and lower legs only.
- ✓ Make sure the angle between your torso and legs is greater than 90°.
- ✓ Allow 2" - 4" of space between the waterfall front of the seat cushion and the back of your knee.
- ✓ Relax your shoulders.
- ✓ Support your forearms while keeping your elbows and wrists in a neutral position with your wrists at or below elbow height.
- ✓ Position the backrest nearly upright or slightly reclined if you have head support.
- ✓ Fine-tune the backrest to provide full support for your lumbar curve.

Keyboard

- ✓ Adjust the keyboard to keep your arms, wrists, and hands straight. Your hands should be slightly lower than your elbows.
- ✓ Place the mouse and keyboard at the same height, with the mouse close to the keyboard.
- ✓ Allow sufficient clearance below the keyboard for your knees and legs to move (at least 1"-2").

Monitor

- ✓ Place directly in front of the keyboard (centered on the "g/h" split of the keyboard) with the top of the screen at or below eye level (at least 24" from eyes).
- ✓ Adjust the screen angle to eliminate glare.
- ✓ Use a document holder to place documents as close to the monitor as possible, preferably at the same height and viewing distance from your eyes.
- ✓ Illuminate your documents properly with direct task lighting.
- ✓ To reduce eyestrain, periodically avert your eyes from the monitor and focus on distant objects.

Slips, Trips, and Falls

Over the years, slips, trips, and falls have been a major cause of injury in workers' compensation insurance programs. During a typical policy year, *approximately* 25% of all reported injuries can be attributed to slips, trips, and falls. By reviewing the following guidelines, we hope school employees will be better prepared to recognize, evaluate, and control these hazards.

To avoid slips, trips, and falls, follow these general guidelines:

- ✓ Environmental Awareness – Pay attention to where you are walking.
- ✓ Take your time – Shortcuts and inattention occur when you are in a hurry.
- ✓ Use handrails- Particularly on steps and ramps.
- ✓ Wear proper footwear – Slip-resistant shoes that are flat, rubber-soled, with wide tread designs are best.

Many fall hazards occur on wet or icy surfaces. These areas can be found around bathrooms, water fountains, and cafeterias.

- ✓ During cold or rainy weather, be especially careful of walking areas where ice can accumulate.
- ✓ Take your time – Walk slowly and carefully.
- ✓ Avoid wet or icy areas- Take a safer route to your destination.

In addition to wet, icy, and slippery surfaces, school district employees have encountered trip hazards in the following situations:

- ✓ Boxes of office equipment – Keep boxes and storage items out of walkways.
- ✓ Electrical Cords – Computer and appliance cords must be managed properly to avoid trip hazards.
- ✓ Mats and carpet edges – Be sure mats and carpets are secured and are not rolled up on the edges.

- ✓ Desk and filing cabinet drawers – Keep desk and file drawers closed when not in use.
- ✓ Speed bumps and bumper stops in parking lots – Speed bumps and bumper stops should be painted for recognition and visibility. They are still hard to see when it is dark.
- ✓ Holes and uneven sidewalks – Report holes and uneven surfaces to maintenance so they can be fixed.

Please take some time to evaluate your work area for any fall hazards that you may encounter.

Ladder Safety

Ladder safety is often an overlooked lesson. Over 500,000 people are injured by falls involving ladders each year. Most of these incidents occur because the victims violate the basic rules of ladder safety. Portable ladders are used at our school district sites in a wide variety of settings, including maintenance, academic, and administrative. Misuse of portable ladders can result in serious injuries from falls or, in some cases, death. Our goal is to provide safety information to our school district members to reduce the potential for injury.

Please follow these ladder safety guidelines:

- ✓ Use a ladder of proper length to reach the working height you need. **Chairs, boxes, and desks are not ladders and are unsafe to stand on.**
- ✓ Make sure you choose the right ladder to support your weight and the job you are about to perform.
- ✓ Inspect the ladder **BEFORE** you use it. Check the rungs, spreaders, and side rails before use. Never use a damaged ladder.
- ✓ Place the feet of the ladder on firm, even ground. The bottom of the ladder should be about one foot away from the wall for every four feet that the ladder rises. An extension ladder's upper and lower sections should overlap to provide stability.
- ✓ Face the ladder and hold on with **BOTH** hands while climbing. Stay in the center of the rails. Do not lean over the side of the ladder. Your belt buckle should not be further than the side rail. Tools should be carried on a tool belt or raised and lowered using a hand line.
- ✓ On single or extension ladders, never stand above the third rung from the top and never climb above the point where the ladder touches the wall or vertical support.

Worker's Compensation Filing Information

The Everett School Board recognizes that safety and health standards should be incorporated into all aspects of the operations of the District. Your safety is important to us.

If you are injured at work, report your accident/injury to your supervisor, then CALL NURSE TRIAGE HELPLINE AT 833-WCT-NURS (833-928-6877) whether you seek medical care or not.

In the event of a life-threatening emergency, call 911.

The Puget Sound Workers' Compensation Trust is the third-party administrator managing the District's employee Accident/Incident Reports and work injury claims. If you indicate that you have sought or intend to seek medical care, a worker's compensation benefits claim will be established for you. You will hear from PSWCT within three business days.

Upon submitting your report and work injury claim, the Puget Sound Workers' Compensation Trust will email you the following:

- Your claim number (give this number to your doctor/medical provider)
- Prescription letter (to fill/pay for any prescriptions from your medical provider)
- General work injury claim information

When submitting a work injury claim, contact the [Payroll and Benefits department](#) to discuss your status and next steps. If you are off for any amount of time related to your work injury claim, you are required to complete a time loss election form, which must be requested from the benefits office, completed by you, and then submitted back to the benefits office within seven days of the date of injury. The benefits office will review this required form with you, as your elections will directly impact District pay and may impact your medical benefit eligibility. All completed forms can be faxed to 425-385-4135.

You may choose your doctor/medical provider for your **first** treatment visit. However, ongoing treatment of your injury must be from a state-approved medical provider. Below are links to provider lists that support your work injury claim:

- [Local Medical Providers](#)
- [State L&I Search for Medical Providers](#)

It is extremely important that you submit a copy of the completed Activity Prescription Form (or whatever paperwork the medical provider gives you) immediately after receiving treatment and following every appointment. This document can be faxed to the benefits office at 425-385-4135, scanned, emailed to benefits@everettsd.org, or brought to the benefits office in the CRC Building at 3900 Broadway, Everett.

If you have general questions regarding workers' compensation benefits, please visit the [Department of Labor & Industries website](#) for injury claims. For specific claim questions after filing, please contact your claims adjustor with Puget Sound Workers' Compensation Trust at 253-778-7667.

IMPORTANT DISTRICT CONTACT INFORMATION

Phone: 425-385-4115 Fax: 425-385-4135

Email: benefits@everettsd.org

Payroll and Benefits Department

Community Resource Center

3900 Broadway, Everett, WA 98201

Family Medical Leave Act (FMLA)

Employee Rights and Responsibilities

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or childbirth.
- To care for the employee's child after birth or placement for adoption or foster care.
- To care for the employee's spouse, son or daughter, or parent who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active-duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA-covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose to use accrued paid leave while taking FMLA leave, or employers may require it. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA.
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. The FMLA does not affect any Federal or State law prohibiting discrimination or supersede any State or local law or collective bargaining agreement that provides greater family or medical leave rights.

HIPAA Privacy Notice

This notice describes how medical information about you may be used and disclosed and how you can access this information. Please review it carefully.

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) imposes numerous requirements on employer health plans concerning using and disclosing individual health information. This information, known as protected health information, includes virtually all individually identifiable health information held by the plan – whether received in writing, in an electronic medium, or as an oral communication. This notice describes the privacy practices of the following plans: Preferred Provider Organizations (PPO)/ Healthcare Management Administrators (HMA), Pharmaceutical Care Network (PCN), and Flexible Spending Accounts (FSA). The plans covered by this notice may share health information with each other to carry out treatment, payment, or health care operations. These plans are collectively referred to as the plan in this notice, unless specified otherwise.

The plan's duties with respect to health information about you

The plan is required by law to maintain the privacy of your health information and to provide you with this notice of the plan's legal duties and privacy practices with respect to your health information. If you participate in an insured plan option, you will receive a notice directly from the insurer. Different policies may apply to other Everett School District programs or to data unrelated to the health plan.

How the plan may use or disclose your health information

The privacy rules generally allow the use and disclosure of your health information without your permission (known as authorization) for purposes of healthcare treatment, payment activities, and healthcare operations. Here are some examples of what that might entail:

Treatment includes providing, coordinating, or managing healthcare by one or more healthcare providers or doctors. It can also include coordination or management of care between a provider and a third party and consultation and referrals between providers. *For example, the plan may share health information about you with physicians who are treating you.*

Payment includes activities by this plan, other plans, or providers to obtain premiums, make coverage determinations, and provide reimbursement for health care. This can include eligibility determinations, reviewing services for medical necessity or appropriateness, utilization management activities, claims management, billing, and “behind the scenes” plan functions such as risk adjustment, collection, or reinsurance. *For example, the plan may share information about your coverage or the expenses you have incurred with another health plan in order to coordinate payment of benefits.*

Healthcare operations include activities by this plan (and, in limited circumstances, other plans or providers), such as wellness and risk assessment programs, quality assessment and improvement activities, customer service, and internal grievance resolution. Healthcare operations also include vendor evaluations, credentialing, training, accreditation activities, underwriting, premium ratings, arranging for medical review and audit activities, and business planning and development. *For example, the plan may use information about your claims to review the effectiveness of wellness programs.*

The amount of health information used or disclosed will be limited to the “minimum necessary” for these purposes, as defined under the HIPAA rules. The plan may also contact you to provide appointment reminders or information about treatment alternatives or other health-related benefits and services that may be of interest to you.

How the plan may share your health information with the Everett School District

The plan, or its health insurer or HMO, may disclose your health information without your written authorization to Everett School District for plan administration purposes. Everett School District may need your health information to administer benefits under the plan. Everett School District agrees not to use your health information other than as permitted or required by the plan documents and by law. Human Resources administrators, benefits staff, and payroll staff are the only Everett School District employees who will have access to your health information for plan administration functions.

Here is how additional information may be shared between the plan and Everett School District, as allowed under the HIPAA rules:

- The plan, its insurer, or HMO may disclose “summary health information” to Everett School District, if requested, to obtain premium bids to provide coverage under the plan or to modify, amend, or terminate the plan. Summary health information summarizes participants’ claims information but removes names and other identifying information.
- The plan, or its insurer or HMO, may disclose to Everett School District information on whether an individual is participating in the plan or has enrolled or dis-enrolled in an insurance option or HMO offered by the plan.

In addition, you should know that Everett School District cannot and will not use health information obtained from the plan for any employment-related actions. However, health information collected by Everett School District from other sources, for example, under the Family and Medical Leave Act, Americans with Disabilities Act, or workers’ compensation, is *not* protected under HIPAA (although this type of information may be protected under other federal or state laws).

Other allowable uses or disclosures of your health information

In certain cases, your health information may be disclosed without authorization to a family member, close friend, or other person you identify who is involved in your care or payment for your care. Information describing your location, general condition, or death may be provided to a similar person (or to a public or private entity authorized to assist in disaster relief efforts). You will generally be given the chance to agree or object to these disclosures (although exceptions may be made, for example, if you are not present or if you are incapacitated). In addition, your health information may be disclosed without authorization to your legal representative.

The plan is allowed to use or disclose your health information without your written authorization for the following activities:

Workers compensation	Disclosures to workers’ compensation or similar legal programs that provide benefits for work-related injuries or illness without regard to fault, as authorized by and necessary to comply with such laws.
Necessary to prevent serious threat to health or safety	Disclosures made in the good faith belief that releasing your health information is necessary to prevent or lessen a serious and imminent threat to public or personal health or safety. Disclosures should be made to someone reasonably able to prevent or lessen the threat (including: disclosures to the target of the threat); includes disclosures to assist law enforcement officials in identifying, or apprehending an individual, because the individual has made a statement admitting participation in a violent crime that the plan reasonably believes may have caused serious physical harm to a victim, or where it appears the individual has escaped from prison, or from lawful custody.
Public health activities	Disclosures authorized by law to persons who may be at risk of contracting or spreading a disease or condition; disclosures to public health authorities to prevent or control disease or report

	child abuse or neglect; and disclosures to the Food and Drug Administration to collect or report adverse events or product defects.
Victims of abuse, neglect, or domestic violence	Disclosures to government authorities, including social services or protected services agencies authorized by law to receive reports of abuse, neglect, or domestic violence, as required by law. If the plan believes the disclosure is necessary to prevent serious harm to you or potential victims, you will be notified of the disclosure if informing you will not put you at further risk.
Judicial and administrative proceedings	Disclosures in response to a court or administrative order, subpoena, discovery request, or other lawful process (the plan may be required to notify you of the request, or receive satisfactory assurance from the party seeking your health information, that efforts were made to notify you, or to obtain a qualified protective order concerning the information).
Law enforcement purposes	Disclosures to law enforcement officials required by law or pursuant to legal process. To identify a suspect, fugitive, witness, or missing person; disclosures about a crime victim if you agree or if disclosure is necessary for immediate law enforcement activity; disclosure about a death that may have resulted from criminal conduct; and disclosure to provide evidence of criminal conduct on the plan's premises.
Decedents	Disclosures to a coroner or medical examiner to identify the deceased or determine the cause of death. Also to funeral directors to carry out any duties.
Organ, eye, or tissue donation	Disclosures to organ procurement organizations or other entities to facilitate organ, eye, or tissue donation and transplantation after death.
Research purposes	Disclosures subject to approval by institutional or private privacy review boards, subject to certain assurances and representations by researchers regarding necessity of using your health information and treatment of the information during a research project.
Health oversight activities	Disclosures to health agencies for activities authorized by law (audits, inspections, investigations, or licensing actions) for oversight of the healthcare system, government benefits programs for which health information is relevant to beneficiary eligibility, and compliance with regulatory programs or civil rights laws.
Specialized government functions	Disclosures about individuals who are armed forces personnel or foreign military personnel under appropriate military command; disclosures to authorized federal officials for national security or intelligence activities; and disclosures to correctional facilities or custodial law enforcement officials about inmates.
HHS investigations	Disclosures of your health information to the Department of Health and Human Services (HHS) to investigate or determine the plan's compliance with the HIPAA privacy rule.

The plan is not required to agree to a requested restriction. If the plan does agree, a restriction may later be terminated by your written request, by agreement between you and the plan (including an oral agreement), or unilaterally by the plan for health information created or received after you are notified that the plan has removed the restrictions. The plan may also disclose health information about you if you need emergency treatment, even if the plan has agreed to a restriction.

Right to receive confidential communications of your health information

If you think that disclosure of your health information by the usual means could endanger you in some way, the plan will accommodate reasonable requests to receive communications of health

information from the plan by alternative means or at alternative locations. If you want to exercise this right, your request to the plan must be in writing, and you must include a statement that disclosure of all or part of the information could endanger you.

Right to inspect and copy your health information

With certain exceptions, you have the right to inspect or obtain a copy of your health information in a “designated records set” (a group of records maintained by or for a covered entity that is the medical and billing records about individuals; enrollment, payment, claims adjudication, and case or medical management record systems maintained by or for a health plan). You do not have a right to inspect or obtain copies of psychotherapy notes or information compiled for civil, criminal, or administrative proceedings. In addition, the plan may deny your right to access, although in certain circumstances you may request a review of the denial.

If you want to exercise this right, your request to the plan must be in writing. Within 30 days of receipt of your request (60 days if the health information is not accessible on site), the plan will provide you with:

- The access or copies you requested.
- A written denial that explains why your request was denied and any rights you may have to the denial reviewed or file a complaint.
- A written statement that the time period for reviewing your request will be extended for no more than 30 more days, along with the reasons for the delay and the date by which the plan expects to address your request.

The plan may provide a summary or explanation of the information instead of access to or copies of your health information. If you agree in advance and pay any applicable fees, the plan may also charge reasonable fees for copies or postage.

If the plan does not maintain the health information but knows where it is maintained, you will be informed of where to direct your request.

Right to obtain a paper copy of this notice from the plan upon request

You can obtain a paper copy of this privacy notice upon request. Individuals who agreed to receive this notice electronically may request a paper copy anytime.

Changes to the information in this notice

The plan must abide by the terms of the current privacy notice. This notice takes effect on April 14, 2003. The plan reserves the right to change the terms of its privacy policies as described in this notice at any time and make new provisions effective for all health information that the plan maintains. This includes health information that was previously created or received, not just health information created or received after the policy is changed. If changes are made to the plan's privacy policies described in this notice, you will be provided with a revised privacy notice via in-district mail or US mail.

Complaints

If you believe your privacy rights have been violated, you may complain to the plan and to the Secretary of Health and Human Services (HHS). You will not be retaliated against for filing a complaint. To file a complaint, obtain a complaint form from the complaint manager by calling the benefits office at 425-385-4115.

Contact

For more information on the plans privacy policies or your rights under HIPAA, contact the benefits office at 425-385-4115.

Special enrollment rights

Under the special enrollment provisions of HIPAA, you may be eligible, in certain situations, to enroll in a School Employee Benefits Board (SEBB) sponsored medical plan during the year, even if you previously declined coverage. This right extends to you and all eligible family members.

You will be eligible to enroll yourself (and eligible dependents) if, during the year, you or your dependents have lost coverage under another plan because:

- Coverage ended due to termination of employment, divorce, death, or a reduction in hours that affected benefit eligibility.
- Employer contributions to the plan stopped.
- The plan was terminated.
- COBRA coverage ended.
- The lifetime maximum for medical benefits was exceeded under the existing medical coverage option.

To enroll in a School Employee Benefit Board (SEBB) sponsored medical plan during the year, you must notify the plan within 60 days of the loss of coverage. If you do not do so within 60 days, you will be required to wait until the next open enrollment period.

If you gain a new dependent during the year because of marriage, birth, adoption, or placement for adoption, you may enroll that dependent, as well as yourself and any other eligible dependents, in a plan even if you previously declined medical coverage.

Right to amend your health information that is inaccurate or incomplete.

With certain exceptions, you can request that the plan amend your health information in a “designated records set.” The plan may deny your request for several reasons. For example, your request may be denied if the health information is accurate and complete, was not created by the plan (unless the person or entity that created the information is no longer available), is not part of the “designated records set” or is not available for inspection (e.g., psychotherapy notes or information compiled for civil, criminal, or administrative proceedings).

If you want to exercise this right, your request to the plan must be in writing, and you must include a statement to support the requested amendment. Within 60 days of your receipt of your request, the plan will:

- Provide a written denial that explains why your request was denied and any rights you may have to disagree or file a complaint.
- Provide a written statement that the time for reviewing your request will be extended for no more than 30 more days, along with the reasons for the delay and the date by which the plan expects to address your request.

Right to receive an accounting of disclosures of your health information

You have the right to a list of certain disclosures of your health information the plan has made. This is referred to as an accounting of disclosures. You may receive an accounting of disclosures if the disclosure is required by law, in connection with public health activities, or in a similar situation listed in the table earlier in this notice unless otherwise indicated below.

You may receive information on disclosures of your health information going back for six years from the date of your request but no earlier than April 14, 2003 (the date HIPAA privacy rules became effective). You do not have a right to receive an accounting of any disclosures made:

- For treatment, payment, or healthcare operations
- To you, about your own health information
- Incidental to other permitted or required disclosures.
- Where authorization was provided
- To family members or friends involved in your care (where disclosure is permitted without authorization)

- For national security or intelligence purposes or to correctional institutions or law enforcement officials in certain circumstances

Your right to an accounting of disclosures to a health oversight agency or law enforcement official may be suspended at the agency's or official's request. If you want to exercise this right, your request to the plan must be in writing. Within 60 days, the plan will provide you with the list of disclosures or a written statement that the period for providing this list will be extended for no more than 30 more days, along with the reasons for the delay and the date by which the plan expects to address your request. You may make one request in any 12-month period at no cost. The plan may charge a fee for any subsequent requests. You will be notified in advance of any fees and can change or revoke your request.

District Policies and Procedures



District policies are adopted by the Everett Public Schools Board of Directors, based on state and federal laws and regulations. Procedures are developed by administrative staff to implement board adopted policies.

The following pages provide district staff our nondiscrimination, harassment, and complaint policies and procedures, as well as some of the most frequently referenced policies and procedures. Included are examples of how the policy/procedure might apply in a specific situation. All district policies and procedures can be accessed online at <https://docushare.everett.k12.wa.us/docushare/dsweb/View/Collection-189>.

Nondiscrimination Statement

Everett Public Schools does not discriminate in any programs or activities on the basis of sex, race, creed, religion, color, national origin, age, veteran or military status, sexual orientation, gender expression or identity, disability, or the use of a trained dog guide or service animal and provides equal access to the Boy Scouts and other designated youth groups. The following employees have been designated to handle questions and complaints of alleged discrimination:

Assistant Superintendent Human Resources

Chad Golden
3900 Broadway, Everett 98201
425-385-4103
cgolden@everettsd.org

Title IX/Civil Rights Compliance Officer

Chad Golden
3900 Broadway, Everett 98201
425-385-4100
cgolden@everettsd.org

Section 504 Coordinator

Dave Peters
3900 Broadway, Everett 98201
425-385-4063
dpeters@everettsd.org

Gender-Inclusive Schools Coordinator

Joi Odom Grant
3900 Broadway, Everett 98201
425-385-4000
jgrant@everettsd.org

ADA Coordinator

Chad Golden
3900 Broadway, Everett 98201
425-385-4100
cgolden@everettsd.org

Harassment, Intimidation or Bullying (HIB) Compliance Officer

Danielle Mundell
3721 Oakes Avenue, Everett 98201
425-385-4260
Dmundell2@everettsd.org

Please refer to the enclosed nondiscrimination policy for further information on how to submit an informal or formal complaint. Staff needing information regarding translation services or transitional bilingual education programs can contact Chris Fulford at cfulford@everettsd.org or 425-385-4030.



Everett Public Schools

3900 Broadway, Everett, WA 98201
425-385-4000 www.everettsd.org

Our Schools Protect Students from Harassment, Intimidation, and Bullying (HIB)

Schools are meant to be safe and inclusive environments where all students are protected from Harassment, Intimidation, and Bullying (HIB), including in the classroom, on the school bus, in school sports, and during other school activities. This section defines HIB, explains what to do when you see or experience it, and our school's process for responding to it.

What is HIB?

HIB is any intentional electronic, written, verbal, or physical act of a student that:

- Physically harms another student or damages their property;
- Has the effect of greatly interfering with another student's education; or
- Is so severe, persistent, or significant that it creates an intimidating or threatening education environment for other students.

HIB generally involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated. HIB is not allowed, by law, in our schools.

How can I make a report or complaint about HIB?

Talk to any school staff member (consider starting with whoever you are most comfortable with!) You may use our district's [reporting form](#) to share concerns about HIB, but reports about HIB can be made in writing or verbally. Your report can be made anonymously, if you are uncomfortable revealing your identity, or confidentially if you prefer it not be shared with other students involved with the report. No disciplinary action will be taken against another student based **solely** on an anonymous or confidential report.

If a staff member is notified of, observes, overhears, or otherwise witnesses HIB, they must take prompt and appropriate action to stop the HIB behavior and to prevent it from happening again. Our district also has a HIB Compliance Officer who supports prevention and response to HIB: Dani Mundell, DMundell2@everettsd.org, 425-385-4260.

What happens after I make a report about HIB?

If you report HIB, school staff must attempt to resolve the concerns. If the concerns are resolved, then no further action may be necessary. However, if you feel that you or someone you know is the victim of unresolved, severe, or persistent HIB that requires further investigation and action, then you should request an official HIB investigation. Also, the school must take actions to ensure that those who report HIB don't experience retaliation.

What is the investigation process?

When you report a complaint, the HIB Compliance Officer or staff member leading the investigation must notify the families of the students involved with the complaint and must make sure a prompt and thorough investigation takes place. The investigation must be completed within five (5) school days unless you agree on a different timeline. If your complaint involves circumstances that require a longer investigation, the district will notify you with the anticipated date for their response.

When the investigation is complete, the HIB Compliance Officer or the staff member leading the investigation must provide you with the outcomes of the investigation within two (2) school days. This response should include:

- A summary of the results of the investigation;
- A determination of whether the HIB is substantiated;
- Any corrective measures or remedies needed; and
- Clear information about how you can appeal the decision.

What are the next steps if I disagree with the outcome?

For the student designated as the "targeted student" in a complaint:

If you do not agree with the school district's decision, you may appeal against the decision and include any additional information regarding the complaint to the superintendent, or the person assigned to lead the appeal, and then to the school board.

For the student designated as the "aggressor" in a complaint:

A student found to be an "aggressor" in a HIB complaint may not appeal the decision of a HIB investigation. They can, however, appeal corrective actions that result from the findings of the HIB investigation.

For more information about the HIB complaint process, including important timelines, please see the district's [HIB webpage](#) or the district's HIB [Policy 3204](#) and [Procedure 3204P](#).

Our School Stands Against Discrimination

Discrimination can happen when someone is treated differently or unfairly because they are part of a **protected class**, including their race, color, national origin, sex, gender identity, gender expression, sexual orientation, religion, creed, disability, use of a service animal, or veteran or military status.

What is discriminatory harassment?

Discriminatory harassment can include teasing and name-calling; graphic and written statements; or other conduct that may be physically threatening, harmful, or humiliating. Discriminatory harassment happens when the conduct is based on a student's protected class and is serious enough to create a hostile environment. A **hostile environment** is created when conduct is so severe, pervasive, or persistent that it limits a student's ability to participate in, or benefit from, the school's services, activities, or opportunities.

Click on the links to review the district's Nondiscrimination [Policy 3210](#) and [Procedure 3210P](#).

What is sexual harassment?

Sexual harassment is any unwelcome conduct or communication that is sexual in nature and substantially interferes with a student's educational performance or creates an intimidating or hostile environment. Sexual harassment can also occur when a student is led to believe they must submit to unwelcome sexual conduct or communication to gain something in return, such as a grade or a place on a sports team.

Examples of sexual harassment can include pressuring a person for sexual actions or favors; unwelcome touching of a sexual nature; graphic or written statements of a sexual nature; distributing sexually explicit texts, e-mails, or pictures; making sexual jokes, rumors, or suggestive remarks; and physical violence, including rape and sexual assault.

Our schools do not discriminate based on sex and prohibit sex discrimination in all of our education programs and employment, as required by Title IX and state law.

Click the link to review the district's Sexual Harassment [Policy 3205](#) and [Procedure 3205P](#).

What should my school do about discriminatory and sexual harassment?

When a school becomes aware of possible discriminatory or sexual harassment, it must investigate and stop the harassment. The school must address any effects the harassment had on the student at school, including eliminating the hostile environment, and make sure that the harassment does not happen again.

What can I do if I'm concerned about discrimination or harassment?

Talk to a coordinator or submit a written complaint. You may contact the following school district staff members to report your concerns, ask questions, or learn more about how to resolve your concerns.

Concerns about discrimination:

Civil Rights Coordinator: Chad Golden, Assistant Superintendent of Human Resources, 425-385-4100, CGolden@everettsd.org, PO Box 2098, Everett WA 98213

Concerns about sex discrimination, including sexual harassment:

Title IX Coordinator: Chad Golden, Assistant Superintendent of Human Resources, 425-385-4100, CGolden@everettsd.org, PO Box 2098, Everett WA 98213

Concerns about disability discrimination:

Section 504 Coordinator: Dave Peters, Director of Student Services, 425-385-4063, DPeters@everettsd.org, PO Box 2098, Everett WA 98213

Concerns about discrimination based on gender identity:

Joi Odom Grant, Director Diversity, Equity, and Inclusion, 425-385-4000, jgrant@everettsd.org, PO Box 2098, Everett WA 98213

To **submit a written complaint**, describe the conduct or incident that may be discriminatory and send it by mail, fax, email, or hand delivery to the school principal, district superintendent, or civil rights coordinator. Submit the complaint as soon as possible for a prompt investigation, and within one (1) year of the conduct or incident.

What happens after I file a discrimination complaint?

The Civil Rights Coordinator will give you a copy of the school district's discrimination complaint procedure. The Civil Rights Coordinator must make sure a prompt and thorough investigation takes place. The investigation must be completed within 30 calendar days unless you agree to a different timeline. If your complaint involves exceptional circumstances that require a longer investigation, the Civil Rights Coordinator will notify you in writing with the anticipated date for their response.

When the investigation is complete, the school district superintendent or the staff member leading the investigation will send you a written response. This response will include:

- A summary of the results of the investigation;
- A determination of whether the school district failed to comply with civil rights laws;
- Any corrective measures or remedies needed; and
- Notice about how you can appeal the decision.

What are the next steps if I disagree with the outcome?

If you do not agree with the outcome of your complaint, you may appeal the decision to a hearing officer designated by the superintendent and then to the Office of Superintendent of Public Instruction (OSPI). More information about this process, including important timelines, is included in the district's Nondiscrimination [Procedure 3210P](#) and Sexual Harassment [Procedure 3205P](#).

I already submitted an HIB complaint – what will my school do?

Harassment, intimidation, or bullying (HIB) can also be discrimination if it's related to a protected class. If you give your school a written report of HIB that involves discrimination or sexual harassment, your school will notify the Civil Rights Coordinator. The school district will investigate the complaint using both the Nondiscrimination [Procedure 3210P](#) and the HIB [Procedure 3204P](#) to **fully resolve your complaint**.

Who else can help with HIB or Discrimination Concerns?

Office of Superintendent of Public Instruction (OSPI)

All reports must start locally at the school or district level. However, OSPI can assist students, families, communities, and school staff with questions about state law, the HIB complaint process, and the discrimination and sexual harassment complaint processes.

OSPI School Safety Center (For questions about harassment, intimidation, and bullying)

- Website: ospi.k12.wa.us/student-success/health-safety/school-safety-center
- Email: schoolsafety@k12.wa.us
- Phone: 360-725-6068

OSPI Equity and Civil Rights Office (For questions about discrimination and sexual harassment)

- Website: ospi.k12.wa.us/policy-funding/equity-and-civil-rights
- Email: equity@k12.wa.us
- Phone: 360-725-6162

Washington State Governor's Office of the Education Ombuds (OEO)

The Washington State Governor's Office of the Education Ombuds works with families, communities, and schools to address problems together so every student can fully participate and thrive in Washington's K-12 public schools. OEO provides informal conflict resolution tools, coaching, facilitation, and training about family, community engagement, and systems advocacy.

- Website: <https://www.oeo.wa.gov/en>
- Email: oeoinfo@gov.wa.gov
- Phone: 1-866-297-2597

U.S. Department of Education, Office for Civil Rights (OCR)

The U.S. Department of Education, Office for Civil Rights (OCR) enforces federal nondiscrimination laws in public schools, including those that prohibit discrimination based on sex, race, color, national origin, disability, and age. OCR also has a discrimination complaint process.

- Website: <https://www2.ed.gov/about/offices/list/ocr/index.html>
- Email: OCR@ed.gov
- Phone: 800-421-3481

Our Schools are Gender-Inclusive

In Washington, all students have the right to be treated consistent with their gender identity at school. Our schools will:

- Address students by their requested name and pronouns, with or without a legal name change.
- Change a student's gender designation and have their gender accurately reflected in school records.
- Allow students to use restrooms and locker rooms that align with their gender identity.
- Allow students to participate in sports, physical education courses, field trips, and overnight trips in accordance with their gender identity.
- Keep health and education information confidential and private.
- Allow students to wear clothing that reflects their gender identity and apply dress codes without regard to a student's gender or perceived gender.
- Protect students from teasing, bullying, or harassment based on their gender or gender identity.

Click to review the district's Gender-Inclusive Schools [Policy 3213](#) and [Procedure 3213P](#). If you have questions or concerns, please contact the Gender-Inclusive Schools Coordinator: Joi Odom Grant, Director Diversity, Equity, and Inclusion, 425-385-4000, jgrant@everettsd.org, PO Box 2098, Everett WA 98213

For concerns about discrimination or discriminatory harassment based on gender identity or gender expression, please see the information above.

RESOLUTION NO. 1237

Affirming our Commitment to Condemning Racism and Supporting Peaceful Protest

A RESOLUTION of the Board of Directors of Everett Public Schools in response to the death of George Floyd, condemning racism and supporting peaceful protest.

WHEREAS, on May 25, 2020 the life of George Floyd was tragically taken by four Minneapolis police officers; and

WHEREAS, the unjust death of George Floyd has highlighted the continued racism and unequal justice that still exists in our nation; and

WHEREAS, the students of Everett Public Schools have been exposed to this traumatic event through graphic visual displays of people in positions of authority committing violent crimes; and

WHEREAS, the subsequent public displays of both peaceful and violent demonstrations throughout our country, as well as displays of unprovoked violence by law enforcement at those demonstrations, have impacted the students and staff of Everett Public Schools; and

WHEREAS, the Board of Directors recognizes its responsibility to provide an environment which educates and teaches our students that we can and must uphold the rights and dignity of all members of our communities, and we must never enable those who would act otherwise; and

WHEREAS, as educators and educational leaders we are committed to action in assisting the Everett Public Schools community to process these events within our core values of Equity, Diversity, Collaboration, Respect, Integrity, Passion and Learning; and

WHEREAS, as we move forward and continue striving for social justice and racial equity, let these words by Rev. Martin Luther King Jr. be on the forefront of our minds "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that."

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors reemphasizes the importance of its board policies and the associated administrative procedures focused on each student's equitable access to education:

1. Mourns the death of George Floyd and joins the call for justice;
2. Supports Black students, staff and families during this time of turmoil;
3. Supports those in Everett Public Schools who wish to protest peacefully without fear of intimidation;
4. Does not support returning hate with hate or violence with violence;
5. Condemns acts of violence and damage to public and private property;
6. Commits to finding actionable ways to make our school district more just for everyone; and
7. Stands proudly for racial equality and safety for all of our students and staff; and

BE IT FURTHER RESOLVED, does hereby charge the superintendent to strengthen anti-racism and equity policies and training for all staff and students.

ADOPTED this 9th day of June, 2020, and authenticated by the signatures affixed below.

ATTESTED BY:

Ian B. Saltzman

Secretary, Board of Directors

EVERETT SCHOOL DISTRICT NO. 2 Snohomish County, Washington

Caroline Mason

Caroline Mason, President

Pam LeSesne

Pam LeSesne, Vice President

April Berg

April Berg, Director

Traci Mitchell

Traci Mitchell, Director

Andrew Nicholls

Andrew Nicholls, Director



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Diversity, Equity, Inclusion, and Belonging

Policy 0010

Everett Public Schools is a diverse, inclusive, and equitable school district where all students, employees, and volunteers, whatever their gender, race, ethnicity, national origin, age, sexual orientation or identity, education or physical, sensory, or mental ability should feel valued and respected. The district respects diverse life experiences, heritages, and values, and welcomes the many languages and dialects spoken by its students, employees, and volunteers. All students, employees and volunteers should feel safe, healthy, engaged, and supported by the district.

The district is committed to a nondiscriminatory approach and equitable outcomes for all. We acknowledge the historical role educational institutions have played in creating and implementing policies and practices that result in predictably lower academic and graduation outcomes and disproportionate disciplinary action for students of color. We recognize these disparities contradict our beliefs and values about what students can achieve, and we affirm the important role of adults in ensuring conditions for success. We are committed to removing barriers, and to ensuring students access, opportunity, and inclusion throughout our system.

The district will work to eliminate inequitable practices aggressively and efficiently within our system. We will allocate resources to provide equitable education and environments to all children and families regardless of gender, race, ethnicity, national origin, age, sexual orientation or identity, education, or physical, sensory, or mental ability.

The board commits to:

- Provide system-wide direction, support, oversight, and shared accountability to advance equity and eliminate inequities in Everett Public Schools.
- Affirm, inspire, and serve each student in our diverse population, especially students who have been marginalized through race or other means, and students who face significant barriers.
- Create opportunities and remove barriers to identify and nurture strengths in each student and to ensure our community can in turn be strengthened by each student.
- Provide ongoing board development and learning opportunities about inequities and biases that impact students, staff, and families in our community, and about effective strategies for addressing them.
- Address inequities and biases that create feelings of fear, lack of belonging, and academic, social, and emotional barriers for students, all of which can contribute to reduced academic participation and performance.
- Ensure our policies directly address racism and occurrences of racial tension in ways that both provide positive guidelines and expectations, and that direct development of robust reporting and investigation processes.

This policy establishes that our district shall:

- See diversity, inclusion, and equity as connected to its mission and critical to promoting the well-being of the staff, students, and communities it serves.
- Dismantle any inequities within its policies, systems, programs, and services, and to consistently update and report on organizational progress.
- Adopt curriculum, and teaching and learning strategies, that leverage, reflect, and affirm the unique experiences and social, racial, cultural, linguistic, and familial backgrounds of the Everett Public Schools community.
- Ensure disciplinary actions are undertaken without bias and/or disproportionality.
- Implement hiring processes that proactively support the district's commitment to hiring, recruitment, and retention of highly qualified staff of color and that promote and honor other aspects of a diverse workforce.
- Provide professional development to staff and students in anti-racist practices, equitable practices, culturally responsive teaching practices, eliminating microaggressions, and bias awareness.
- Expect all employees to embrace equity, inclusion, and belonging, and to express these in values in workplace interactions and everyday practices.
- Develop reporting, investigation, communication, and accountability processes, particularly related to actions of racism and occurrences of racial tension or other discriminatory actions.
- Model diversity, inclusion, and belonging for all students and employees to foster an inclusive environment to achieve equitable outcomes.

- Practice and encourage transparent communication in all interactions.
- Commit time and resources to expanding more diverse leadership within our leadership, staff, and advisory bodies.
- Build a sense of community and belonging among staff to increase retention.
- Create an environment where all families have a sense of belonging and inclusion.
- Review this policy on an annual basis to ensure the commitment to equity, diversity, inclusion, and belonging remains at the forefront of our work.

This work is guided by the Everett Public Schools' core values that were created in partnership with our community, and are steeped in steadfast commitment to each student's success:

- **Passion:** We are passionate about teaching and learning.
- **Respect:** We value differences among people and treat one another with respect.
- **Integrity:** We act in good faith, serving others with honesty and dignity. We serve as stewards of the public trust.
- **Diversity:** We embrace diversity as an essential asset; we are inclusive and treat our differences as a core strength.
- **Equity:** We honor and support each student's right to learn and achieve.
- **Learning:** We believe each student can learn and achieve to high standards.
- **Collaboration:** We believe in learning and working together, the value of diverse views, and the power of collective wisdom.

Nondiscrimination on the Basis of Sex in Education Programs and Activities and Title IX

Policy 2152

Everett Public Schools shall not discriminate on the basis of sex in its educational programs or activities. The district is required by Title IX of the 1972 Educational Amendments and by regulations promulgated thereunder not to discriminate on the basis of sex against students, student activities, applicants or employees.

Consistent with the requirements of Title IX, Everett Public Schools is committed to provide opportunities in interscholastic athletics for female and male students in the district, which equally and effectively accommodate the athletic interests and abilities of members of both sexes. The district will develop procedures to determine if it is meeting the requirements of Title IX and how the addition of an interscholastic sport may be requested and processed.

Any person having an inquiry concerning Everett Public Schools' implementation of the state and federal statutes and regulations should contact the district's Title IX/Civil Rights Compliance Officer or the district administrator in charge of student athletics.

The superintendent is authorized to develop administrative procedures to implement this policy.

Procedure

2152P

Consistent with the requirements of Title IX, Everett Public Schools is committed to provide opportunities in interscholastic athletics for female and male students in the district, which equally and effectively accommodate the athletic interests and abilities of members of both sexes. These procedures were developed to assist Everett Public Schools in meeting the requirements of Title IX.

Title IX Program/Activity Evaluation

To provide equal educational opportunity in its programs, including athletic programs, the Title IX/Civil Rights Compliance Officer, in cooperation with the district's administrator for athletics, shall be responsible for providing ongoing monitoring to assure that the district's athletic program effectively accommodates the athletic interests and abilities of both sexes. The Title IX/Civil Rights Compliance Officer shall annually report to the superintendent regarding participation opportunities for students and will recommend any changes needed for program compliance.

Determination of Effective Accommodation

The district will provide participation opportunities in interscholastic athletics for female and male students, which equally and effectively accommodate the athletic interests and abilities of members of both sexes. In determining the district's compliance with the requirements of Title IX, the following three-prong test will be utilized in determining accommodation:

1. Provide interscholastic participation opportunities for male and female students in numbers substantially proportionate to their respective enrollments; or
2. Show a history and continuing practice of program expansion, which is demonstrably responsive to the developing interests, and abilities of both sexes; or
3. Demonstrate that the program has fully and effectively accommodated the interests and abilities of both sexes.

Student Interest Survey

The district will conduct a formal written survey of every student in all grades that offer interscholastic activities regarding their interests and abilities. The student interest survey will be conducted every three years and will include:

1. At a minimum, all interscholastic sports currently offered by the district and those sponsored by the Washington Interscholastic Activities Association (WIAA) by sport season; and
2. A space for the student to indicate interest in additional sports not currently offered by the district and/or not currently sponsored by the WIAA by sport season.

The results of the survey and information from other sources will help determine if program additions, modifications or changes are needed to the existing program to assist the district in program compliance.

Student Requests for Modifications of Existing Programs or Additional Sports

Students may make a formal request for modifying an existing program or adding a new sport. Request forms are available at the district athletic office and will be turned in to the district's administrator for athletics for processing. The administrator will work with the appropriate building principal to determine if the request can be approved. The athletic administrator will respond back in writing to the requesting party within 20 days of receipt. If the request is not approved, the submitting party may request that it be forwarded to the district's Title IX/Civil Rights Compliance Officer for consideration during the Title IX/Civil Rights Compliance Officer's annual report to the superintendent. The Title IX/Civil Rights Compliance Officer will review each request and respond back to the submitting party in writing within 20 days of receipt. If the request is subject to further review, the district's response shall provide a date of final response.

Annual Building Program Review

Each building will participate in an annual building program review and submit it to the Title IX/Civil Rights Compliance Officer for processing. The content and format of this review will be established by the district's Title IX/Civil Rights Compliance Officer. The results will be used in the Title IX/Civil Rights Compliance Officer's annual report to the superintendent.

Record Retention

All information gathered and requested by the Title IX/Civil Rights Compliance Officer and presented in the yearly report to the superintendent will be retained for five years. This would include student interest surveys, building program reviews and requests for modification of existing programs or adding of additional sports.

Information and Inquiry

Information about [Board Policy 2152](#) and this procedure will be published initially and as needed in the [Student Rights and Responsibilities Handbook](#).

Any person having an inquiry concerning Everett Public Schools implementation of the state and federal statutes and regulations should contact the district's Title IX/Civil Rights Compliance Officer or the district administrator in charge of student athletics.

Prohibition of Harassment, Intimidation or Bullying of Students

Policy 3204

The board is committed to a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers and community members that is free from harassment, intimidation, or bullying (HIB). Our district's core values include our commitment to value differences among people and treat one another respectfully. HIB of students by other students, by staff members, by volunteers, by parents or by guardians is prohibited.

As defined in legislation, "Harassment, intimidation or bullying" means any intentional electronic, written, verbal, or physical act including but not limited to, one shown to be motivated by any characteristic in [RCW 28A.640.010](#) and [RCW 28A.642.010](#), or other distinguishing characteristics, when the act:

- A. Physically harms a student or damages the student's property;
- B. Has the effect of substantially interfering with a student's education;
- C. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
- D. Has the effect of substantially disrupting the orderly operation of the school.

Nothing in this section requires the affected student to actually possess a characteristic that is a basis for the harassment, intimidation or bullying.

"Other distinguishing characteristics" can include but are not limited to physical appearance, clothing or other apparel, socioeconomic status and weight.

"Intentional acts" refers to the individual's choice to engage in the act rather than the ultimate impact of the action(s).

Behaviors/Expressions

This policy recognizes that 'harassment,' 'intimidation,' and 'bullying' are separate but related behaviors. Each must be addressed appropriately. The accompanying procedure differentiates the three behaviors; however, this differentiation should not be considered part of the legal definition of these behaviors

HIB can take many forms, including but not limited to, slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, gestures, physical attacks, threats or other written, oral, physical or electronically transmitted messages or images.

This policy is not intended to prohibit expression of religious, philosophical, or political views, provided that the expression does not substantially disrupt the educational environment. Many behaviors that do not rise to the level of HIB may still be prohibited by other district policies or building, classroom or program rules.

Training

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with comprehensive training of staff and volunteers. Specific training requirements are included in the accompanying procedure.

Prevention

The district will provide students with strategies designed to prevent HIB. In its efforts to educate students, the district will seek partnerships with families, law enforcement and other community agencies.

Interventions

Interventions will be designed to remediate the impact on the targeted student(s) and upon others impacted by the violation, to change the behavior of the aggressor, and to restore a positive school climate.

The district will consider the frequency of incidents, developmental age of the student, and severity of the conduct in determining intervention strategies. Interventions will range from counseling, correcting behavior and discipline, to law enforcement referrals.

Students with Individual Education Plans or Section 504 Plans

If allegations are proven that a student with an Individual Education Plan (IEP) or Section 504 Plan has been the aggressor or target of HIB, the school will convene the student's IEP or Section 504 team to determine whether the incident had an impact on the student's ability to receive a free, appropriate public education (FAPE). The meeting should occur regardless of whether the HIB incident was based on the student's disability. During the meeting, the team will evaluate issues such as the student's academic performance, behavior issues, attendance, and participation in extracurricular activities. If a determination is made that the student is not receiving a FAPE, as a result of the HIB incident, the district will provide additional services and supports as deemed necessary, such as counseling, monitoring and/or reevaluation or revision of the student's IEP or Section 504 plan, to ensure the student receives a FAPE.

Retaliation/ False Allegations

Retaliation is prohibited and will result in appropriate discipline. It is a violation of this policy to threaten or harm someone for reporting HIB, or participating in an investigation.

It is also a violation of district policy to knowingly report false allegations of HIB. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Compliance Officer

The superintendent will appoint a HIB compliance officer as the primary district contact to receive copies of all informal complaints ([HIB Incident Report Forms](#)) and to ensure policy implementation. The name and contact information for the HIB compliance officer will be communicated throughout the district. The district HIB compliance officer will participate in at least one (1) mandatory training opportunity offered by OSPI.

The superintendent is authorized to direct the implementation of procedures addressing the elements of this policy.

Procedure

3204P

A. Introduction

Everett Public Schools strives to provide students with optimal conditions for learning by maintaining a school environment where everyone is treated with respect and no one is physically or emotionally harmed.

In order to ensure respect and prevent harm, it is a violation of district policy for a student to be harassed, intimidated, or bullied by others in the school community, at school sponsored events, or when such actions create a substantial disruption to the educational process. The school community includes all students, school employees, school board members, contractors, unpaid volunteers, families, patrons, and other visitors. Student(s) will not be harassed because of their race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression, gender identity, mental or physical disability, or other distinguishing characteristics.

Any school staff who observes, overhears, or otherwise witnesses harassment, intimidation, or bullying or to whom such actions have been reported must take prompt and appropriate action to stop the harassment, intimidation, or bullying and to prevent its reoccurrence.

B. Definitions

"Aggressor" means a student, staff member, volunteer, or other member of the school community who engages in the harassment, intimidation, or bullying of a student.

"Harassment, intimidation, or bullying" (HIB) means any intentional electronic, written, verbal, or physical act that:

1. Physically harms a student or damages the student's property;
2. Has the effect of substantially interfering with a student's education;
3. Is so severe, persistent, or pervasive that it creates an intimidating or threatening educational environment; or
4. Has the effect of substantially disrupting the orderly operation of the school.

Conduct that is "substantially interfering with a student's education" will be determined by considering a targeted student's grades, attendance, demeanor, interaction with peers, participation in activities, and other indicators.

Conduct that may rise to the level of HIB may take many forms, including, but not limited to: slurs, rumors, jokes, innuendoes, demeaning comments, drawings, cartoons, pranks, ostracism, physical attacks or threats, gestures, or acts relating to an individual or group whether electronic, written, oral, or physically transmitted messages or images. There is no requirement that the targeted student actually possess the characteristic that is the basis for the HIB.

“Retaliation” occurs when an individual is intimidated, threatened, coerced, or discriminated against for reporting harassment, intimidation, or bullying, or participating in an investigation.

“Staff” includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, classified staff, substitute and temporary teachers, volunteers, or paraprofessionals (both employees and contractors).

“Targeted student” means a student against whom HIB has allegedly been perpetrated.

C. Behaviors/Expressions

“Harassment,” “intimidation,” and “bullying” are separate but related behaviors. Each must be addressed appropriately. Although this procedure differentiates the three behaviors, this differentiation should not be considered part of the legal definition of these behaviors. Harassment refers to any malicious act, which causes harm to any person's physical wellbeing. It can be discriminatory harassment, malicious harassment, or sexual harassment. Intimidation refers to implied or overt threats of physical violence. Bullying refers to unwanted aggressive behavior(s) by another youth or group of youths that involves an observed or perceived power imbalance and is repeated multiple times or is highly likely to be repeated. Bullying may inflict harm on the targeted youth including physical or educational harm. Bullying can also occur through technology and is called electronic bullying or cyberbullying.

D. Relationship to Other Laws

This procedure applies only to [RCW 28A.600.477](#) Prohibition of harassment, intimidation and bullying. There are other laws and procedures to address related issues such as sexual harassment or discrimination.

At least four Washington laws may apply to harassment or discrimination:

1. [RCW 28A.600.477](#) – Prohibition of harassment, intimidation and bullying
2. [RCW 28A.640.020](#) – Regulations, guidelines to eliminate discrimination—Scope—Sexual harassment policies
3. [Chapter 28A.642 RCW](#) – Discrimination prohibition
4. [RCW 49.60.010](#) – Purpose of chapter; the “law against discrimination”

The district will ensure its compliance with all state laws regarding HIB. Nothing in this procedure prevents a student, parent/guardian, school or district from taking action to remediate harassment or discrimination based on a person's membership in a legally protected class under local, state, or federal law.

E. Prevention

1. Dissemination

In each school and on the [district's website](#) the district will prominently post information on reporting HIB; the name and contact information for making a report to a school administrator; and the name and contact information for the district HIB compliance officer. The district's policy and procedure will be available in each school in a language that families can understand.

Annually, the superintendent will ensure that a statement summarizing the policy and procedure is provided in student, staff, volunteer and parent handbooks, is available in school and district offices and/or hallways or is posted on the [district's website](#).

Additional distribution of the policy and procedure is subject to the requirements of [Chapter 392-405 WAC](#).

2. Education

Annually students will receive age-appropriate information on the recognition and prevention of HIB at student orientation sessions and on other appropriate occasions. The information will include a copy of the [Incident Reporting Form](#) or a link to a [web-based process](#).

3. Training

The district HIB compliance officer will participate in at least one (1) mandatory training opportunity offered by the Office of Superintendent of Public Instruction (OSPI). Staff will receive annual training on the district's policy and procedure, including, at a minimum, staff roles and responsibilities, how to monitor common areas and the use of the district's [Incident Reporting Form](#).

4. Prevention Strategies

The district will implement a range of strategies including individual, classroom, school, and district-level approaches.

Whenever possible, the district will implement evidence-based prevention programs that are designed to increase social competency, improve school climate, and eliminate HIB in schools.

F. Compliance Officer

The district HIB compliance officer will:

1. Serve as the district's primary contact for HIB. If the allegations in a written report of HIB indicate a potential violation of [Policy 3204](#), the district staff member who receives the report must promptly notify the district HIB compliance officer.
2. Provide support and assistance to the principal or designee in resolving complaints.
3. Receive copies of all Incident Reporting Forms, discipline referral forms relating to HIB, and letters to parents/guardians providing the outcomes of investigations.
4. Communicate with the district's designated Title IX/Civil Rights Compliance Officer. If a written report of HIB indicates a potential violation of the district's nondiscrimination policy ([Policy 3210](#)), or if during the course of an investigation of HIB, the district becomes aware of a potential violation of the district's nondiscrimination policy, the HIB compliance officer must promptly notify the district's Title IX/Civil Rights Compliance Officer. At that time, the compliance officers must promptly notify the complainant that their complaint will proceed under both [Policy 3204](#) and this procedure, and [Policy 3210](#) and [Procedure 3210P](#). The investigation and response timeline for the nondiscrimination procedure begin when the district knows or should have known that a written report or investigation of HIB involves a potential violation of the district's nondiscrimination policy.
5. Be familiar with the use of the student information system. The HIB compliance officer may use this information to identify patterns of behavior and areas of concern.
6. Ensure the implementation of the policy and procedure by overseeing the investigative processes, including ensuring that investigations are prompt, impartial, and thorough.
7. Assess the training needs of staff and students to ensure successful implementation throughout the district, and ensure staff receive annual fall training.
8. Provide the OSPI School Safety Center with notification of policy or procedure updates or changes on an annual basis.
9. In cases where, despite school efforts, a targeted student experiences HIB that threatens the student's health and safety, the HIB compliance officer will facilitate a meeting between district staff and the child's parents/guardians to develop a safety plan to protect the student. A sample student safety plan is available on the OSPI website: www.k12.wa.us/SafetyCenter/default.aspx.

The district Harassment, Intimidation or Bullying Compliance Officer is:

Danielle Mundell
Everett School District No. 2
3721 Oakes Avenue
P.O. Box 2098
Everett, WA 98201
Dmundell2@everettsd.org
Phone: (425) 385-4260

G. Staff Intervention

All staff members will intervene when witnessing or receiving reports of HIB. Minor incidents that staff are able to resolve immediately, or incidents that do not meet the definition of HIB, may require no further action under this procedure, other than tracking, to ensure they are not repeated.

H. Filing an Incident Reporting Form

Incident Reporting Forms may be used by students, families, or staff to report incidents of HIB. A sample form is provided on OSPI's School Safety Center website:

<https://www.k12.wa.us/sites/default/files/public/safetycenter/bullyingharassment/pubdocs/samplehibincidentreporting.pdf>.

Any student or students who believe they have been the target of unresolved, severe, or persistent HIB, or any other person in the school community who observes or receives notice that a student has or may have been the target of unresolved, severe, or persistent HIB may report incidents verbally or in writing to any staff member.

I. Addressing Harassment, Intimidation, or Bullying – Reports

Step 1: Filing an Incident Reporting Form

In order to protect a targeted student from retaliation, a student need not reveal their identity on an Incident Reporting Form. The form may be filed anonymously, confidentially, or the student may choose to disclose their identity (non-confidential).

Status of Reporter

1. Anonymous

Individuals may file a report without revealing their identity. No disciplinary action will be taken against an alleged aggressor based solely on an anonymous report. Schools may identify complaint boxes, use online reporting processes, or develop other methods for receiving anonymous, unsigned reports. Possible responses to an anonymous report include increased monitoring of students or staff. (Example: An unsigned Incident Reporting Form dropped on a teacher's desk led to the increased monitoring of the boys' locker room in fifth period.)

2. Confidential

Individuals may ask that their identities be kept secret from the accused and other students. Like anonymous reports, no disciplinary action will be taken against an alleged aggressor based solely on a confidential report. (Example: A student tells a playground supervisor about a classmate being bullied near the basketball court but asks that nobody know who reported the incident. The supervisor says, "I can start monitoring the basketball court more closely and keep an eye out for your classmate and any problems that might crop up, but I can't take any disciplinary action against the bully(ies) unless you or someone else who saw it is willing to let me use their names.)

3. Non-Confidential

Individuals may agree to file a report non-confidentially. Complainants agreeing to make their complaint non-confidential will be informed that due process requirements may require that the district release all of the information that it has regarding the complaint to any individuals involved in the incident, but that even then, information will still be restricted to those with a need to know, both during and after the investigation.

The district will, however, fully implement the anti-retaliation provision in [Policy 3204](#) and this procedure to protect complainants and witnesses.

Step 2: Receiving an Incident Report Form

All staff members are responsible for receiving oral and written reports. Whenever possible, staff members who initially receive an oral or written report of HIB shall attempt to resolve the incident immediately. If the incident is resolved to the satisfaction of the parties involved, or if the incident does not meet the definition of HIB, no further action may be necessary under this procedure.

All reports of unresolved, severe, or persistent HIB will be recorded on a district [Incident Reporting Form](#) and submitted to the principal or designee, unless the principal or designee is the subject of the complaint.

Step 3: Investigations of Unresolved, Severe, or Persistent HIB

All reports of unresolved, severe, or persistent HIB will be investigated with reasonable promptness. Any student may have a trusted adult (e.g., parent/guardian, relative, mentor, staff member) with them throughout the report and investigation process.

- a. Upon receipt of the [Incident Reporting Form](#) that alleges unresolved, severe, or persistent HIB, the school or district designee will begin an investigation. If there is potential for clear and immediate physical harm to the complainant, the district will immediately contact law enforcement and inform the parent/guardian.
- b. During the course of the investigation, the district will take reasonable measures to ensure that no further incidents of HIB occur between the complainant and the alleged aggressor. If necessary, the district will implement a safety plan (<https://ospi.k12.wa.us/student-success/health-safety/school-safety-center/comprehensive-safety-planning-toolkit>) for the student(s) involved. The plan may include changing seating arrangements for the complainant and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a safe person for the complainant; altering the alleged aggressor's schedule and access to the complainant, and other measures.

If, during the course of an investigation, the district employee conducting the investigation becomes aware of a potential violation of [Policy 3210](#), Nondiscrimination, the investigator will promptly notify the district's Title IX/Civil Rights Compliance Officer. Upon receipt of this information, the Title IX/Civil Rights Compliance Officer must notify the complainant that their complaint will proceed under the discrimination complaint procedure in [WAC 392-190-065](#) through [WAC 392-190-075](#), as well as the HIB complaint procedure. The notice must be provided in a language that the complainant can understand.

The investigation and response timeline for the discrimination complaint procedure will follow that set forth in [WAC 392-190-065](#) and begins when the district knows or should have known that a written report of HIB involves allegations of a violation of the district's nondiscrimination policy.

- c. Within two (2) school days after receiving the [Incident Reporting Form](#), the school designee will notify the families of the students involved that a complaint was received and direct the families to the district's policy and procedure on HIB.
- d. In rare cases, where after consultation with the student and appropriate staff (such as a psychologist, counselor, or social worker) the district has evidence that it would threaten the health and safety of the complainant or the alleged aggressor to involve their parent/guardian, the district may initially refrain from contacting the parent/guardian in its investigation of HIB. If professional school personnel suspect that a student is subject to abuse or neglect, they must follow district [Policy 3421](#) for reporting such cases to Child Protective Services or law enforcement.
- e. The investigation shall include, at a minimum:
 - An interview with the complainant;
 - An interview with the alleged aggressor;
 - A review of any previous complaints involving either the complainant or the alleged aggressor; and
 - Interviews with other students or staff members who may have knowledge of the alleged incident.
- f. The principal or designee may determine that other steps must be taken before the investigation is complete.
- g. The investigation will be completed as soon as practicable but generally no later than five (5) school days from the initial complaint or report. If more time is needed to complete an investigation, the district will provide the parent/guardian and/or the student with weekly updates.
- h. No later than two (2) school days after the investigation has been completed and submitted to the HIB compliance officer, the principal or designee shall respond in writing or in person to the parent/guardian of the complainant and the alleged aggressor stating:
 - The results of the investigation;
 - Whether the allegations were found to be factual;
 - Whether there was a violation of policy; and
 - The process for the complainant to file an appeal if the complainant disagrees with results.

Because of the laws regarding the confidentiality of student records (FERPA), the principal or designee may not be able to report specific information to the targeted student's parent/guardian about any disciplinary action taken unless it involves a directive that the targeted student must be aware of in order to report violations.

If the district chooses to contact the parent/guardian by letter, the letter will be mailed to the parent/guardian of the complainant and alleged aggressor by United States Postal Service with return receipt requested unless it is determined, after consultation with the student and appropriate staff (psychologist, counselor, social worker) that it could endanger the complainant or the alleged aggressor to involve their family.

If professional school personnel suspect that a student is subject to abuse or neglect, as mandatory reporters they must follow district policy for reporting suspected cases to Child Protective Services or law enforcement.

If the incident cannot be resolved at the school level, the principal or designee shall request assistance from the district HIB compliance officer.

Step 4: Corrective Measures for the Aggressor

After completion of the investigation, the school or district designee will institute any corrective measures necessary.

Corrective measures will be instituted as soon as possible, but in no event more than five (5) school days after contact has been made with the families or guardians regarding the outcome of the investigation.

Corrective measures that involve student discipline will be implemented according to district [Policy 3300](#) – Student Discipline. If the accused aggressor is appealing the imposition of discipline, the district may be prevented by due process considerations or lawful order from imposing the discipline until the appeal process is concluded.

If in an investigation a principal or principal’s designee found that a student knowingly made a false allegation of HIB, that individual may be subject to corrective measures, including discipline.

Step 5: Targeted Student’s Right to Appeal

- a. If the complainant or parent/guardian is dissatisfied with the results of the investigation, they may appeal to the superintendent or designee by filing a written notice of appeal within five (5) school days of receiving the decision. The superintendent or designee will review the investigative report and issue a written decision on the merits of the appeal within five (5) school days of receiving the notice of appeal.
- b. If the targeted student remains dissatisfied after the initial appeal to the superintendent, the student may appeal to the school board by filing a written notice of appeal with the superintendent on or before the fifth (5th) school day following the date upon which the complainant received the superintendent’s written decision.
- c. An appeal to the school board or discipline appeal council must be heard on or before the tenth (10th) school day following the filing of the written notice of appeal to the school board. The school board or discipline appeal council will review the record and render a written decision on the merits of the appeal on or before the fifth (5th) school day following the termination of the hearing, and shall provide a copy of the decision to all parties involved. The board or council’s decision will be the final district decision.

Step 6: Discipline/Corrective Actions

The district will take prompt and equitable corrective measures within its authority on findings of HIB. Depending on the severity of the conduct, corrective measures may include counseling, education, discipline, and/or referral to law enforcement.

Corrective measures for the student who commits an act of HIB will be varied and graded according to the nature of the behavior, the developmental age of the student, or the student’s history of problem behaviors and performance. Corrective measures that involve student discipline will be implemented according to district [Policy 3300](#) – Student Discipline.

If the conduct was of a public nature or involved groups of students or bystanders, the school may consider schoolwide training or other activities to address the incident.

If staff have been found to be in violation of [Policy 3204](#) and this procedure, the district may impose employment disciplinary action, up to and including termination. If a certificated educator is found to have committed a violation of [Chapter 181-87 WAC](#), commonly called the Code of Conduct for Professional Educators, OSPI’s Office of Professional Practices may impose disciplinary action on a certificate, up to and including revocation. Contractor violations of [Policy 3204](#) may include the loss of contracts.

Step 7: Support for the Targeted Student

Persons found to have been subjected to HIB will have appropriate district support services made available to them, and the adverse impact of the harassment on the student shall be addressed and remedied as appropriate.

J. Immunity/Retaliation

No school employee, student, or volunteer may engage in reprisal or retaliation against a targeted student, witness, or other person who brings forward information about an alleged act of HIB. Retaliation is prohibited and will result in appropriate discipline.

K. Other Resources

Students and families should use the district’s complaint and appeal procedures as a first response to allegations of HIB. However, nothing in this procedure prevents a student, parent/guardian, school, or district from taking action to remediate discrimination or harassment based on a student’s membership in a legally protected class under local, state or federal law. A HIB complaint may also be reported to the following state or federal agencies:

- OSPI Equity and Civil Rights Office (for discrimination complaints)
360-725-6162
Email: equity@k12.wa.us
<https://www.k12.wa.us/policy-funding/equity-and-civil-rights>
- Washington State Human Rights Commission
800-233-3247
<http://www.hum.wa.gov/>

- Office for Civil Rights, U.S. Department of Education, Region IX
206-607-1600
Email: OCR.Seattle@ed.gov
www.ed.gov/about/offices/list/ocr/index.html
- Department of Justice Community Relations Service
877-292-3804
www.justice.gov/crt/
- Office of the Education Ombudsman
866-297-2597
Email: OEInfo@gov.wa.gov
<http://oeo.wa.gov/>
- OSPI Safety Center
360-725-6044
<https://www.k12.wa.us/student-success/health-safety/school-safety-center>

L. Other District Policies and Procedures

Nothing in [Policy 3204](#) or this procedure is intended to prohibit discipline or remedial action for inappropriate behaviors that do not rise to the level of HIB as defined herein, but which are prohibited by other district or school rules.

Sexual Harassment of Students

Policy 3205

It is the policy of Everett School District to maintain a learning environment for students that is free from all forms of discrimination, including sexual harassment. This commitment extends to all students involved in academic, educational, extracurricular, athletic, and other programs or activities of the school, whether that program or activity is in a school facility, on school transportation or at a class or school training held elsewhere.

For the purposes of this policy, **sexual harassment** is defined by state and federal laws as any unwelcome sexual advance, requests for sexual favors, sexually motivated physical contact, or verbal or physical conduct or communication of a sexual nature that:

- Conditions the provision of an aid, benefit or service of the district, either explicitly or implicitly, on the student's participation in such conduct (quid pro quo harassment); and/or
- A reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a student equal access to an education program or activity; and/or
- Has the purpose or effect of substantially interfering with a student's educational performance, or of creating an intimidating, hostile, or offensive educational environment; and/or
- Constitutes sexual assault as defined in the Clery Act, 20 U.S.C. 1092(f)(6)(A)(v)), dating violence as defined in 34 U.S.C. 12291(a)(10), domestic violence as defined in 34 U.S.C. 12291(a)(8), or stalking as defined in the Violence Against Women Act ("VAWA"), 34 U.S.C. 12291(a)(30).

Sexual harassment can occur adult to student, student to adult, student to student or can be carried out by a group of students or adults and will be investigated by the district even if the alleged harasser is not a part of the school staff or student body. The district prohibits sexual harassment of students by other students, employees, or third parties involved in district activities.

Under federal and state law, the term sexual harassment may include, but is not limited to:

- acts of sexual violence;
- unwelcome sexual or gender-directed conduct or communication that interferes with an individual's educational performance or creates an intimidating, hostile, or offensive environment;
- unwelcome sexual advances;
- unwelcome requests for sexual favors;
- sexual demands when submission is a stated or implied condition of obtaining an educational benefit;
- sexual demands where submission or rejection is a factor in an academic, or other school-related decision affecting an individual.

A **hostile environment** has been created for a student when sexual harassment is sufficiently serious to interfere with or limit the student's ability to participate in or benefit from the school's program. The more severe the conduct, the less need there is to demonstrate a repetitive series of incidents. In fact, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe, violent, or egregious.

Investigation and Response

If the district knows, or in the exercise of reasonable care should have known, that sexual harassment has occurred, it will promptly investigate to determine what occurred and take appropriate steps to resolve the situation. If an investigation reveals that sexual harassment has created a hostile environment, the district will take prompt and effective steps reasonably calculated to end the sexual harassment, eliminate the hostile environment, prevent its recurrence and as appropriate, remedy its effects. The district will take prompt, equitable and remedial action within its authority on reports, complaints and grievances alleging sexual harassment that come to the attention of the district, either formally or informally. The district will take these steps every time a complaint, alleging sexual harassment comes to the attention of the district, either formally or informally.

Allegations of criminal misconduct will be reported to law enforcement and suspected child abuse will be reported to law enforcement or Child Protective Services. Regardless of whether the misconduct is reported to law enforcement, school staff will promptly investigate to determine what occurred and take appropriate steps to resolve the situation, to the extent that such investigation does not interfere with an ongoing criminal investigation. A criminal investigation does not relieve the district of its independent obligation to investigate and resolve sexual harassment.

Engaging in sexual harassment will result in appropriate discipline or other appropriate sanctions against offending students, staff or other third parties involved in district activities. Anyone else who engages in sexual harassment on school property or at school activities will have their access to school property and activities restricted, as appropriate.

Retaliation and False Allegations

Retaliation against any person who makes or is a witness in a sexual harassment complaint is prohibited and will result in appropriate discipline. The district will take appropriate actions to protect involved persons from retaliation.

Knowingly reporting false allegations of sexual harassment is prohibited. Students or employees will not be disciplined for making a report in good faith. However, persons found to knowingly report or corroborate false allegations will be subject to appropriate discipline.

Staff Responsibilities

The superintendent or designee will develop and implement formal and informal procedures for receiving, investigating and resolving complaints or reports of sexual harassment. The procedures will include reasonable and prompt time lines and delineate staff responsibilities under this policy.

Any school employee who witnesses sexual harassment or receives a report, informal complaint, or written complaint about sexual harassment is responsible for informing the district Title IX/Civil Rights Compliance Officer. All staff are also responsible for directing complainants to the formal complaint process.

Reports of discrimination and discriminatory harassment will be referred to the district's Title IX/Civil Rights Compliance Officer. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.

District/school staff, including employees, contractors, and agents shall not provide a recommendation of employment for an employee, contractor, or agent that the district/school, or the individual acting on behalf of the district/school, knows or has probable cause to believe, has engaged in sexual misconduct with a student or minor in violation of the law.

Notice and Training

The superintendent or designee will develop procedures to provide age-appropriate information and education to district staff, students, parents and volunteers regarding this policy and the recognition and prevention of sexual harassment. At a minimum sexual harassment recognition and prevention and the elements of this policy will be included in staff, student, and regular volunteer orientation. This policy and [Procedure 3205P](#), which includes the complaint process, will be posted in each district building in a place available to staff, students, parents, volunteers, and visitors. Information about the policy and procedure will be clearly stated and conspicuously posted throughout each school building, provided to each employee and reproduced in each student, staff, volunteer, and parent handbook. Such notices will identify the district's Title IX/Civil Rights Compliance Officer and provide contact information, including the Title IX/Civil Rights Compliance Officer's email address.

Policy Review

The superintendent or designee will make an annual report to the board reviewing the use and efficacy of this policy and [Procedure 3205P](#). Recommendations for changes to this policy, if applicable, will be included in the report. The superintendent or designee is encouraged to involve staff, students, volunteers, and parents in the review process.

Procedure

3205P

This procedure is intended to set forth the requirements of [Policy 3205](#), including the process for a prompt, thorough, and equitable investigation of allegations of sexual harassment and the need to take appropriate steps to resolve such situations. If sexual harassment is found to have created a hostile environment, staff must take prompt and effective steps reasonably calculated to end harassment, eliminate the hostile environment, prevent its reoccurrence, and as appropriate, remedy its effects.

This procedure applies to sexual harassment (including sexual violence) as defined in [Policy 3205](#) and targeted at students carried out by other students, employees or third parties involved in district activities. Because students can experience the continuing effects of off-campus harassment in the educational setting, the district will consider the effects of off-campus conduct when evaluating whether there is a hostile environment on campus. The district has jurisdiction over these complaints pursuant to Title IX of the Education Amendments of 1972, [Chapter 28A.640, RCW](#) and [Chapter 392-190 WAC](#).

Notice

Reasonable efforts shall be made to inform all students and their parents of the district's sexual harassment policy and procedure. Information about the district's sexual harassment policy and procedure will be reproduced in the [Student Rights and Responsibilities Handbook](#), in each schools' student/parent handbook, staff handbook, and volunteer handbook, posting the policy and procedure in each school building, and discussion of the policy and procedure at each school.

The name and telephone numbers of the building Title IX Coordinator, as well as the district Title IX/Civil Rights Compliance Officer, and assistant superintendent of human resources shall be posted in such locations in buildings as to be commonly and easily viewed by students and staff.

Staff Responsibilities

When any staff member becomes aware of an incident of sexual harassment, they must immediately inform their building principal, the building Title IX Coordinator or the district's Title IX/Civil Rights Compliance Officer of such incident. The school principal or building Title IX Coordinator will immediately inform: 1) the Title IX/Civil Rights Compliance Officer so that the district can appropriately respond to the incident consistent with its own grievance procedures; and, if necessary, 2) law enforcement.

In the event of an alleged sexual assault, the principal will notify the targeted student(s) and their parents/guardians of their rights under the district's sexual harassment policy and procedure and the right to file a criminal complaint and a sexual harassment complaint simultaneously.

Confidentiality

If a complainant requests their name not be revealed to the alleged aggressor or asks that the district not investigate or seek action against the alleged aggressor, the request will be forwarded to the district Title IX/Civil Rights Compliance Officer for evaluation. Regardless of whether a formal complaint is filed, the district must take prompt and effective steps reasonably calculated to end harassment, eliminate the hostile environment, prevent its reoccurrence, and as appropriate, remedy its effects.

The district Title IX/Civil Rights Compliance Officer should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged aggressor.

If the complainant still requests their name not be disclosed to the alleged aggressor or that the district not investigate or seek action against the alleged aggressor, the district will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all students, staff and other third parties engaging in district activities, including the person who reported the sexual harassment. Although a complainant's request to have their name withheld may limit the district's ability to respond fully to an individual allegation of sexual harassment, the district will use other appropriate means available to address the sexual harassment.

Informal Complaint Process

Anyone may use informal procedures to report and resolve complaints of sexual harassment. Informal complaints of sexual harassment of students shall be reported to the building principal or designee. The building principal or designee will be responsible for investigation and resolution of informal complaints. The building principal or designee may seek assistance or guidance from the district's Title IX/Civil Rights Compliance Officer. The building principal or designee must provide the complainant with a copy of the district's [Policy 3205](#) and [Procedure 3205P](#), and notify the complainant of the right to file a formal complaint under that policy and procedure. The notice shall be provided in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI of the Civil Rights Act of 1964.

During the course of the informal complaint process, the district will take prompt and effective steps reasonably calculated to end any harassment and to correct any discriminatory effects on the complainant. If an investigation is needed to determine what occurred, the district will take interim measures to protect the complainant before the final outcome of the district's investigation (e.g., allowing the complainant to change academic or extracurricular activities or break times to avoid contact with the alleged aggressor). Informal remedies may include, but is not limited to:

- An opportunity for the complainant to explain to the alleged harasser that the conduct is unwelcome, offensive or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant;
- Developing a safety plan;
- Separating students; or
- Providing staff and/or student training.

Informal complaints may become formal complaints at the request of the complainant, parent/guardian, or because the district believes the complaint needs to be more thoroughly investigated.

The district will inform the complainant and their parent/guardian how to report any subsequent problems. Additionally, the district will conduct follow-up inquiries to see if there have been any new incidents or instances of retaliation, and to promptly respond and appropriately address continuing or new problems. Follow-up inquiries will follow a timeline agreed to by the district and complainant.

Formal Complaint Process

- A. The district's Title IX/Civil Rights Compliance Officer, assistant superintendent of human resources or designee shall be responsible for monitoring and coordinating the district's compliance with [Chapter 392-190 WAC](#) and related procedures and ensuring that all complaints communicated to the district are promptly investigated and resolved.

The Title IX/Civil Rights Compliance Officer ("Compliance Officer") is:

Chad Golden
Everett School District No. 2
3900 Broadway
P.O. Box 2098
Everett, WA 98201
cgolden@everettsd.org
Phone: (425) 385-4100

The Assistant Superintendent of Human Resources is:

Chad Golden
Everett School District No. 2
3900 Broadway
P.O. Box 2098
Everett, WA 98201
cgolden@everettsd.org
Phone: (425) 385-4100

The compliance officer or designee will receive and investigate formal complaints that involve only students. The assistant superintendent of human resources or designee will receive and investigate formal complaints when allegations of sexual harassment are brought against employees or other adults. School or district administrators who receive a formal complaint of sexual harassment will promptly notify the compliance officer or assistant superintendent of human resources and forward a copy of the complaint.

- B. The allegations of sexual harassment shall:
1. be written;
 2. be signed by the complainant or the complainant's parent/guardian;
 3. describe the specific acts, conditions, or circumstances alleged to violate the district's policies or obligations with regard to discrimination;
 4. clearly indicate a desire for the district to investigate the allegations; and
 5. be filed with the compliance officer or assistant superintendent of human resources within one (1) year after the occurrence that is the subject of the complaint, unless the delay is due to specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint or the district withheld information that was required to be provided under [Chapter 392-190 WAC](#) or related guidelines.
- C. Upon receipt of the complaint, the district's compliance officer, the assistant superintendent of human resources, or designee will provide the complainant a copy of [Policy 3205](#), [Procedure 3205P](#) and [Procedure 3210P](#) in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI. The district will promptly and thoroughly investigate the complaint.
- D. Before initiating the investigation, the district shall provide written notice of the allegations to both the complainant and the alleged aggressor prior to any discussions or interviews, and provide sufficient details known at the time and sufficient time to prepare a response. Specifically, the written notice must include:
- citations to the complaint process set forth in the district's [Policy 3205](#) and [Procedure 3205P](#);
 - allegations with sufficient details (identity of parties, conduct alleged to constitute sexual harassment, date, location, implicated policies, etc.);
 - a statement indicating the responding party is "presumed not responsible" until a determination is made;
 - notice to the right of an advisor of their choice, who may be an attorney;
 - notice that the parties may request to inspect and review relevant evidence; and
 - a reminder of the district's policy not to make false statements or intentionally submit false information.

If additional allegations are subsequently added to the investigation, the district shall provide written notice to all parties of the new allegations.

The investigation process shall:

- treat all parties to the complaint equitably, including providing supportive measures to all parties, if necessary;
 - be conducted by investigator who is free of bias against any of the parties, and who is trained on the definition of sexual harassment and how to conduct a sexual harassment investigation; and
 - utilize the preponderance of the evidence standard to determine whether the conduct violated the definition of sexual harassment as provided in [Policy 3205](#) and whether the conduct occurred in the district's education program or activity.
- E. Simultaneously, the district shall determine whether supportive measures are necessary. "Supportive Measures" are defined as non-disciplinary, non-punitive individualized services, offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent(s). Such measures may include, but are not limited to:
- counseling;
 - extensions of deadlines or other course-related adjustments;
 - modifications of work or class schedules;
 - restrictions on contact between the parties;
 - increased security and monitoring of certain areas of district grounds; and/or
 - emergency removal of the respondent(s).

Prior to emergency removal, the district must perform an individualized risk analysis, determine whether there is an immediate threat to the health or safety of students or staff that justifies removal, and provides the respondent(s) with notice and an opportunity to challenge the decision immediately following removal. The emergency removal analysis shall focus on the specific facts and individuals involved in the situation and shall provide evidence that there is an immediate threat to the safety of students or staff. Any emergency removal of a student under this section must also comply with Washington's student discipline rules for emergency removal under [WAC 392-400-510](#) through [WAC 392-400-530](#).

- F. Following completion of the investigation, the compliance officer or the assistant superintendent of human resources shall provide the superintendent or designee with a full written report of the complaint and the results of the investigation, including an objective evaluation of all evidence (both inculpatory and exculpatory), unless the matter is resolved to the satisfaction of the complainant without an investigation or prior to the submission of a written report. This report must also be provided to all parties and their representatives, if any, at least ten (10) days before a final decision is made.
- G. After review of the investigative report, the superintendent or designee shall utilize the preponderance of the evidence standard to determine whether the conduct violated the definition of sexual harassment as provided in [Policy 3205](#), whether the conduct occurred in the district's education program or activity, and whether the district complied with [Chapter 392-190 WAC](#) and/or related guidelines.
- H. The superintendent or designee shall respond in writing to the parties within thirty (30) calendar days after the district received the written complaint by the district, unless otherwise agreed to by the parties or if exceptional circumstances related to the complaint require an extension of the time limit. If an extension is needed, the district must notify the parties in writing of the reasons for the extension and the anticipated response date in a language the parties can understand, which may require language assistance for a party with limited-English proficiency, in accordance with Title VI. At the time the district responds to the parties, the district will send a copy of the response to the Office of the Superintendent of Public Instruction.
- I. The response by the superintendent or designee will include:
 - 1. A summary of the results of the investigation, including whether the alleged conduct violated the definition of sexual harassment as provided in [Policy 3205](#) and whether the conduct occurred in the district's education program or activity;
 - 2. Whether the district failed to comply with [Chapter 392-190 WAC](#) or related guidelines;
 - 3. If the district failed to comply with [Chapter 392-190 WAC](#) or related guidelines, the corrective measures deemed necessary to correct the noncompliance; and
 - 4. Notice of the parties' right to appeal under [WAC 392-190-005](#), including where and with whom the appeal should be filed.

The district's response to the complaint will be provided in a language the parties can understand, which may require language assistance for a party with limited-English proficiency in accordance with Title VI.

- J. Corrective measures necessary to correct any noncompliance shall be instituted as expeditiously as possible, but no later than thirty (30) calendar days after the district's written response to the parties, unless otherwise agreed to by the complainant.
- K. Any party may appeal the superintendent or designee's decision to a hearing officer designated by the district to hear the appeal by filing a written notice of appeal with the superintendent on or before the tenth (10th) calendar day from the date the parties received the superintendent or designee's response. The hearing officer shall not have been involved in the initial complaint or investigation.
- L. Upon receipt of an appeal, the hearing officer shall provide a written appeal decision to the parties in a timely manner, not to exceed thirty (30) calendar days from the date the district received the appeal, unless otherwise agreed to by the parties. The appeal decision will include notice of the parties' right to file a complaint with the superintendent of public instruction under [WAC 392-190-075](#). The decision of the hearing officer will be provided in a language the parties can understand, which may require language assistance for a party with limited-English proficiency in accordance with Title VI. The decision of the hearing officer will include notice of the parties' right to file a complaint with the Office of the Superintendent of Public Instruction. The district will send a copy of the appeal decision to the Office of the Superintendent of Public Instruction.
- M. In the event a party disagrees with the appeal decision of the hearing officer or if the district fails to comply with the procedures in [WAC 392-190-065](#) or [WAC 392-190-070](#), that party may file a complaint with the Office of the Superintendent of Public Instruction under [WAC 392-190-075](#). A complaint must be received by the Office Superintendent of Public Instruction within twenty (20) calendar days after the parties received the hearing officer's written appeal decision.

Mediation of Complaints

- A. The district may offer mediation, at its expense, to resolve a complaint at any time during the complaint procedure. Mediation:
1. Must be voluntary;
 2. Requires the agreement of the district and all parties;
 3. May be terminated by any party during the mediation process;
 4. Cannot be used to deny or delay a complainant's right to utilize the complaint procedure; and
 5. Be conducted by a qualified and impartial mediator, who is not an employee of the district or providing services to a student who is the subject of the mediation.
- B. If the parties resolve the complaint through mediation, the parties may execute a legally binding agreement that:
1. Sets forth the resolution;
 2. States that all discussions that occurred during the mediation process will remain confidential and not be used as evidence in any future complaint, due process hearing, or civil proceeding; and
 3. Is signed by all the parties and a district representative.
- C. The parties and district may agree to extend the complaint timelines to pursue mediation.

Disciplinary Action

The district will take such disciplinary action as it deems necessary and appropriate to end harassment and to prevent its reoccurrence. Such disciplinary action will be consistent with state and federal law, and in compliance with district discipline policies and procedures. When appropriate, the district shall provide, or continue to provide, supportive measures for individuals involved in the complaint.

Protection Against Retaliation

Retaliation for filing complaints or otherwise participating, or refusing to participate, in the investigation of an allegation of sexual harassment is strictly prohibited. No individual may intimidate, threaten, coerce, or discriminate against any other individual for the purpose of interfering with any right or privilege secured under the district's policies and procedures and/or state or federal law, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this procedure.

Training and Orientation

A fixed component of all district orientation sessions for staff, students and regular volunteers will introduce the elements of the district's sexual harassment policies and procedures. Staff will be provided information on recognizing and preventing sexual harassment, including the definition of sexual harassment. Staff will be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policies and procedures. All of the schools' Title IX Coordinators, district investigators, decisionmakers designated under this procedure, and any person who facilitates an informal resolution process under this procedure, shall receive training that includes, but is not limited to, the definition of sexual harassment, the scope of the district's education program and activities, how to properly conduct an investigation and the district's complaint process, appeal rights, informal resolution processes, investigating allegations impartially, conflicts of interest, issues of relevance of evidence including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant, and how to create a report that fairly summarizes relevant evidence.

Certificated staff will be reminded of their legal responsibility to report suspected child abuse, and how that responsibility may be implicated by some allegations of sexual harassment. Regular volunteers will get the portions of this component of orientation relevant to their rights and responsibilities.

Students will be provided with age-appropriate information on the recognition and prevention of sexual harassment and their rights and responsibilities under this and other district policies and rules at student orientation sessions and on other appropriate occasions, which may include parents.

As part of the information on the recognition and prevention of sexual harassment staff, volunteers, students and parents will be informed that sexual harassment may include, but is not limited to:

- Demands for sexual favors in exchange for preferential treatment or something of value;
- Stating or implying that a person will lose something if the person does not submit to a sexual request;
- Penalizing a person for refusing to submit to a sexual advance, or providing a benefit to someone who does;
- Making unwelcome, offensive or inappropriate sexually suggestive remarks comments, gestures, or jokes; or remarks of a sexual nature about a person's appearance, gender or conduct;
- Using derogatory sexual terms for a person;
- Standing too close, inappropriately touching, cornering or stalking a person; or
- Displaying offensive or inappropriate sexual illustrations on school property.

All materials used to implement the trainings described above shall be available to members of the public on the district's website and through the district's public records process pursuant to district [Policy 4340](#) and [Procedure 4340P](#).

Reports to the Board

Annually, in conjunction with the report to the board of directors on the district's Affirmative Action Plan, the Title IX/Civil Rights Compliance Officer will review the use and efficacy of the sexual harassment policy and procedures.

Policy and Procedure Review

Annually, the superintendent or designee will convene an ad hoc committee composed of representatives of certificated and classified staff, volunteers, students and parents to review the use and efficacy of this policy and procedure. The Title IX/Civil Rights Compliance Officer will be included in the committee. Based on the review of the committee, the superintendent or designee will prepare a report to the board including, if necessary, any recommended policy changes. The superintendent will consider adopting changes to this procedure if recommended by the committee.

Nondiscrimination

Policy 3210

The district shall provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without regard to race, color, national origin, creed, religion, sex, sexual orientation, gender expression, gender identity, veteran or military status, the presence of any physical, sensory or mental disability or the use of a trained dog guide or service animal by a student with a disability.

District students shall be free from harassment based on legally protected attributes or characteristics.

Conduct against any student that is based on one of the categories listed above that is sufficiently severe, persistent or pervasive as to limit or deny the student's ability to participate in or benefit from the district's course offerings, educational programming or any activity will not be tolerated. When a district employee knows, or reasonably should know, that such discriminatory harassment is occurring or has occurred, the district will take prompt and effective steps reasonably calculated to end the harassment, prevent its recurrence and remedy its effects.

The district's nondiscrimination statement will be included in all written announcements, notices, recruitment materials, employment applications, and other publications made available to all students, parents, or employees. The statement will include:

1. Notice that the district will not discriminate in any programs or activities on the basis of any of the above-listed categories;
2. The name and contact information of the district's Title IX/Civil Rights Compliance Officer designated to ensure compliance with this policy; and
3. The names and contact information of the district's Section 504 Coordinator and the Title IX/Civil Rights Compliance Officer.

The district will annually publish notice reasonably calculated to inform students, students' parents/guardians (in a language that they can understand, which may require language assistance), and employees of the district's discrimination complaint procedure.

The superintendent will designate a staff member to serve as the Title IX/Civil Rights Compliance Officer for this policy. The Title IX/Civil Rights Compliance Officer will be responsible for investigating any discrimination complaints communicated to the district.

The district will offer or provide training to administrators and certificated and classroom personnel on their responsibility to raise awareness of and to eliminate bias based on the categories identified in this policy.

The superintendent or designee shall provide for the annual evaluation, periodic surveys, annual notice and complaint procedures as required by law to ensure that there is in fact equal opportunity and treatment for all students in the district.

Procedure

3210P

Procedures for Resolving Equal Educational Opportunity Complaints/Grievances

To ensure fairness and consistency, the following review procedure is to be used with regard to issues covered by state and federal equal educational opportunity laws, including Title VII of the Civil Rights Act of 1964, as amended, Title IX of the Civil Rights Act of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, [RCW 28A.640.010](#) governing sexual equality in public schools, and [Chapter 28A.642 RCW](#) prohibiting discrimination. This grievance procedure applies to complaints alleging discrimination or discriminatory harassment by employees, other students, or third parties against students based on race, color, national origin, creed, religion, sex, sexual orientation, gender expression, gender identity, veteran or military status, the presence of any sensory, mental or physical disability or the use of a trained dog guide or service animal by a student with a disability.

Anyone may file a complaint against the district alleging that the district has violated anti-discrimination laws. This complaint procedure is designed to assure that the resolution of real or alleged violations are directed toward a just solution that is satisfactory to the complainant, the administration and the board of directors. As used in this procedure:

- Grievance means a complaint which has been filed by a complainant relating to the alleged violations of any state or federal anti-discrimination laws.
- Complaint means a written charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. Complaints may be submitted by mail, fax, email or hand-delivery to any district or school administrator, or to any employee designated under [WAC 392-190-060](#), or to the district Title IX/Civil Rights Compliance Officer responsible for investigating discrimination complaints. Any district employee who receives a complaint that meets these criteria will promptly notify the Title IX/Civil Rights Compliance Officer.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint. To this end, specific steps will be taken. The district is prohibited by law from intimidating, threatening, coercing or discriminating against any individual for the purpose of interfering with their right to file a grievance under this policy and procedure and from retaliating against an individual for filing such a grievance.

Informal Complaints

At the student and parent/guardian's option, attempts will be made to resolve complaints of discrimination or discriminatory harassment informally, expeditiously and at the closest point of administrative responsibility to the alleged offense. Informal complaints of discrimination or discriminatory harassment of students shall be reported to the building principal/designee. The building principal/designee will be responsible for investigation and resolution of informal complaints. The building principal/designee may seek assistance or guidance from the district's Title IX/Civil Rights Compliance Officer. The building principal/designee must notify the complainant of his/her right to file a formal complaint under this policy. The notice shall be provided in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI of the Civil Rights Act of 1964.

Formal Complaints

Level One – Complaint to the District

- A. The district's Title IX/Civil Rights Compliance Officer, assistant superintendent of human resources or designee shall be responsible for monitoring and coordinating the district's compliance with [Chapter 392-190 WAC](#) and related procedures and ensuring that all complaints communicated to the district are promptly investigated and resolved.

The Title IX/Civil Rights Compliance Officer is:

Chad Golden

Everett School District No. 2

3900 Broadway

P.O. Box 2098

Everett, WA 98201

cgolden@everettsd.org

Phone: 425-385-4100

The assistant superintendent of human resources is:

Chad Golden

Everett School District No. 2

3900 Broadway

P.O. Box 2098

Everett, WA 98201

cgolden@everettsd.org

Phone: 425-385-4100

The Title IX/Civil Rights Compliance Officer or designee will receive and investigate formal complaints that involve only students. The assistant superintendent of human resources or designee will receive and investigate formal complaints when allegations of discrimination are brought against employees or other adults. School or district administrators who receive a formal complaint of discrimination or discriminatory harassment will promptly notify the Title IX/Civil Rights Compliance Officer or assistant superintendent of human resources and forward a copy of the complaint.

- B. The allegations of discrimination or discriminatory harassment shall:
1. be written;
 2. describe the specific acts, conditions, or circumstances alleged to violate the district's policies or obligations with regard to discrimination; and
 3. be filed with the Title IX/Civil Rights Compliance Officer or assistant superintendent of human resources within one (1) year from the date of the occurrence that is the subject of the complaint, unless the delay is due to specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint or the district withheld information that was required to be provided under [Chapter 392-190 WAC](#) or related guidelines.
- C. Upon receipt of the complaint, the district's Title IX/Civil Rights Compliance Officer, the assistant superintendent of human resources, or designee will provide the complainant a copy of [Procedure 3210P](#) in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI. The district will promptly and thoroughly investigate the complaint. Following completion of the investigation, the Title IX/Civil Rights Compliance Officer or the assistant superintendent of human resources shall provide the superintendent/designee with a full written report of the complaint and the results of the investigation, unless the matter is resolved to the satisfaction of the complainant without an investigation or prior to the submission of a written report.
- D. The superintendent/designee shall respond in writing to the complainant within thirty (30) calendar days after the district received the written complaint, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. If an extension is needed, the district will notify the complainant in writing of the reasons for the extension and the anticipated response date in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI. At the time the district responds to the complainant, the district will send a copy of the response to the office of the superintendent of public instruction.
- E. The response by the superintendent/designee will include:
1. A summary of the results of the investigation;
 2. Whether the district failed to comply with [Chapter 392-190 WAC](#) or related guidelines;
 3. If the district failed to comply with [Chapter 392-190 WAC](#) or related guidelines, the corrective measures deemed necessary to correct the noncompliance; and
 4. Notice of the complainant's right to appeal under [WAC 392-190-005](#), including where and with whom the appeal should be filed.

The district's response to the complaint will be provided in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency in accordance with Title VI.

- F. Corrective measures necessary to correct any noncompliance shall be instituted as expeditiously as possible, but no later than thirty (30) calendar days after the district's written response to the complainant, unless otherwise agreed to by the complainant.

Level Two – Appeal

- A. A complainant may appeal the superintendent's/designee's decision to a hearing officer designated by the superintendent to hear the appeal by filing a written notice of appeal with the superintendent on or before the tenth (10th) calendar day from the date the complainant received the superintendent/designee's response. The hearing officer shall not have been involved in the initial complaint or investigation.
- B. Upon receipt of an appeal, the hearing officer shall provide a written appeal decision to the complainant in a timely manner, not to exceed thirty (30) calendar days from the date the district received the appeal, unless otherwise agreed to by the complainant. The appeal decision will include notice of the complainant's right to file a complaint with the superintendent of public instruction under [WAC 392-190-075](#). The decision of the hearing officer will be provided in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency in accordance with Title VI.

The decision of the hearing officer will include notice of the complainant's right to file a complaint with the office of the superintendent of public instruction. The district will send a copy of the appeal decision to the office of the superintendent of public instruction.

Level Three – Complaint to the Superintendent of Public Instruction

- A. In the event a complainant disagrees with the appeal decision of the hearing officer or if the district fails to comply with the procedures in [WAC 392-190-065](#) or [WAC 392-190-070](#), the complainant may file a complaint with the office of the superintendent of public instruction under [WAC 392-190-075](#). A complaint must be received by the office of the superintendent of public instruction within twenty (20) calendar days after the complainant received the hearing officer's written appeal decision, unless the superintendent of public instruction grants an extension for good cause. Complaints may be submitted by mail, fax, email or hand delivery.
1. A complaint must be in writing and include:
 - A description of the specific acts, conditions or circumstances alleged to violate applicable anti-discrimination laws;
 - The complainant's name and contact information, including address;
 - The name and address of the district subject to the complaint;
 - A copy of the district's complaint and appeal decision, if any; and
 - A proposed resolution of the complaint or relief requested.

If the allegations involve a specific student, the complaint must also include the name and address of the student, or in the case of a homeless child or youth, contact information.

2. Upon receipt of a complaint, the office of the superintendent of public instruction may initiate an investigation, which may include conducting an independent on-site review. OSPI may also investigate additional issues related to the complaint that were not included in the initial complaint or appeal to the superintendent or board. Following the investigation, OSPI will make an independent determination as to whether the district has failed to comply with [RCW 28A.642.010](#) or [Chapter 392-190 WAC](#), and will issue a written decision to the complainant and the district that addresses each allegation in the complaint and any other noncompliance issues it has identified. The written decision will include corrective actions deemed necessary to correct noncompliance and documentation the district must provide to demonstrate that corrective action has been completed.

All corrective actions must be completed within the timelines established by OSPI in the written decision unless OSPI grants an extension. If timely compliance is not achieved, OSPI may take action including but not limited to referring the district to appropriate state or federal agencies empowered to order compliance.

A complaint may be resolved at any time when, before the completion of the investigation, the district voluntarily agrees to resolve the complaint. OSPI may provide technical assistance and dispute resolution methods to resolve a complaint.

Level Four – Administrative Hearing

A complainant or school district that desires to appeal the written decision of the Office of the Superintendent of Public Instruction may file a written notice of appeal with OSPI within thirty (30) calendar days following the date of receipt of that office's written decision. OSPI will conduct a formal administrative hearing in conformance with the Administrative Procedures Act, RCW 34.05.

NOTE: The complaint procedure outlined above does not prohibit the processing of a complaint in an informal manner and without investigation if the complainant so desires.

Mediation of Complaints

- A. The district may offer mediation, at its own expense, to resolve a complaint at any time during the complaint procedure. Mediation must be voluntary and requires the mutual agreement of the district and the complainant. It may be terminated by either party at any time during the mediation process. It cannot be used to deny or delay a complainant's right to utilize the complaint procedure.

The purpose of mediation is to provide both the complainant and the district an opportunity to resolve disputes and reach a mutually acceptable agreement through the use of an impartial mediator.

Mediation must be conducted by a qualified and impartial mediator who may not:

1. Be an employee of any school district, public charter school, or other public or private agency that is providing education related services to a student who is the subject of the complaint being mediated; or
 2. Have a personal or professional conflict of interest. A mediator is not considered an employee of the district or charter school or other public or private agency solely because he or she serves as a mediator.
- B. If the parties resolve the complaint through mediation, the parties may execute a legally binding agreement that sets forth the resolution and states that all discussions that occurred during the mediation process will remain confidential and not be used as evidence in any future complaint, due process hearing, or civil proceeding. The agreement must be signed by both the complainant and a district representative who has authority to bind the district.
- C. The complainant and district may agree to extend the complaint timelines to pursue mediation.

Preservation of Records

The files containing copies of all correspondence relative to each complaint communicated to the district and the disposition, including any corrective measures instituted by the district, shall be retained in the office of the Title IX/Civil Rights Compliance Officer for a period of six (6) years after resolution or closure of the complaint.

Gender-Inclusive Schools

Policy 3213

In order to foster an educational environment that is safe and free of discrimination for all students, regardless of gender expression, gender identity, or sex, the board recognizes the importance of an inclusive approach toward transgender and gender-expansive students with regard to key terms, communication and the use of names and pronouns, student records, confidential health and education information, communication, restroom and locker room use and accessibility, sports and physical education, dress codes, and other school activities, in order to provide these students with an equal opportunity for learning and achievement.

This policy is a component of the district's responsibility to create and maintain a safe, civil, respectful and inclusive learning community and will be implemented in conjunction with comprehensive training of staff and volunteers. Specific training requirements are included in the accompanying procedure. The superintendent will appoint a primary contact to receive copies of all formal and informal complaints and ensure policy implementation. The name and contact information for the Gender-Inclusive Schools Coordinator will be communicated throughout the district. The district Gender-Inclusive Schools Coordinator will participate in at least one mandatory training opportunity offered by OSPI. This policy and its [procedure](#) will support that effort by facilitating district compliance with local, state and federal laws concerning harassment, intimidation, bullying, and discrimination.

3213P

The principal or designee, or an appropriate, designated school employee, is encouraged to request a meeting with a transgender or gender-expansive student upon the student's enrollment in the district or in response to a currently enrolled student's change of gender expression or identity. Before contacting a student's parents/guardians, the school will consult with the student about the student's preferences regarding family involvement and consider whether safety concerns are present for the student.

The goals of the meeting are to:

- Develop understanding of that student's individual needs with respect to their gender expression or identity, including any accommodations that the student is requesting or that the district will provide according to Policy 3213 and this procedure and under state and federal law; and
- Develop a shared understanding of the student's day-to-day routine within the school so as to foster a relationship and help alleviate any apprehensions the student may have with regard to their attendance at school.

The principal or designee may not require the student to attend a meeting as a condition of providing them with the protection to which they are entitled under [Policy 3213](#) and this procedure, and state and federal law regarding gender expression or identity.

Key Definitions/Terms

- **Assigned sex at birth:** The sex a person was given at birth, usually based on anatomy or chromosomes (e.g., male, female, intersex, etc.).
- **Cisgender:** A term used to describe people whose assigned sex matches their gender identity and/or gender expression (e.g., someone who was assigned female at birth and whose gender identity and/or gender expression is also female.)
- **Gender Expansive:** A wider, more flexible range of gender identities or expressions than those typically associated with the binary gender system.
- **Gender Expression:** The external ways in which a person expresses their gender to the world, such as through their behavior, emotions, mannerisms, dress, grooming habits, interests, and activities.
- **Gender Identity:** A person's internal and deeply-felt sense of being female, male, both, non-binary, gender-expansive, or other—regardless of the gender assigned at birth.
- **Transgender:** A term often used to describe a person whose gender identity or expression, or both, are different from those traditionally associated with their sex assigned at birth.
- **Transitioning:** The process in which a person goes from living and identifying as one gender to living and identifying as another.

Communication and Use of Names and Pronouns

An appropriate school employee will privately ask known transgender or gender-expansive students how they would like to be addressed in class, in correspondence to the home, and at conferences with the student's parent/guardian. That information will be included in the electronic student record system along with the student's legal name in order to inform teachers and staff of the name and pronoun by which to address the student. However, the student's legal name should be accessible by only necessary staff members—it should not be visible to teachers or other staff who have access to the electronic records system.

When appropriate or necessary, this information will be communicated directly with staff to facilitate the use of proper names and pronouns. A student is not required to change their official records or obtain a court-ordered name and/or gender change as a prerequisite to being addressed by the name and pronoun that corresponds to their gender identity.

When communicating with transgender or gender expansive students regarding particular issues such as conduct, discipline, grades, attendance or health, school employees will focus on the conduct or particular issues rather than making assumptions regarding the student's actual or perceived gender identity or gender expression. Before communicating with parents of transgender or gender expansive students, it's important to ask the student how school employees should refer to the student when talking with their parents and guardians. For families who are supportive, using the student's name and pronoun could be affirming for the student. For parents who are not supportive, or who are not aware of the student's transition at school, referring to their name and pronoun could be very dangerous. The district will not condone the intentional or persistent refusal to respect a student's gender identity or gender expression, or inappropriate release of information regarding a student's transgender or gender-expansive status.

Official Records

The standardized high school transcript is the only official record that requires a student's legal name. School staff should adopt practices to avoid the inadvertent disclosure of the student's transgender or gender-expansive status.

The district will change a student's official records to reflect a change in legal name or gender upon receipt of:

1. Documentation that the student's legal name or gender has been changed pursuant to a court order or through amendment of state or federally-issued identification; or
2. A written, signed statement explaining that the student has exercised a common-law name change and has changed their name for all intents and purposes and that the change has not been made for fraudulent reasons.

Schools may change a student's official gender designation upon parent/guardian or student request pursuant to the Office of the Superintendent of Public Instruction's (OSPI's) process found at <https://ospi.k12.wa.us/data-reporting/reporting/cedars>. The process should not be overly cumbersome, and the district may not require verification from a physician.

When a former student asks for their official student transcript to be changed to reflect a different name or gender:

- Document the transaction (request for the change, proof of identity, certificate, court papers, etc.);
- Issue a new record; and
- Retain (1) the original record; (2) the newly issued record; and (3) the documentation of the transaction.

The school must use the name and gender by which the student identifies on all other records, including but not limited to school identification cards, classroom seating charts, athletic rosters, yearbook entries, diplomas, and directory information.

Confidential Health or Educational Information

Information about a student's gender identity, legal name, or assigned sex at birth may constitute confidential medical or educational information. Disclosing this information to other students, their parents, or other third parties may violate privacy laws, such as the federal Family Education Rights and Privacy Act (FERPA) ([20 U.S.C. §1232](#); [34 C.F.R. Part 99](#)). Parents have the right under FERPA to request their student's records and if requested, the district will provide the student's educational records to the parent according to [Policy 3600](#) and [Procedure 3600P](#), Student Records. To ensure the safety and well-being of the student, school employees should not disclose a student's transgender or gender expansive status to others, including other school personnel, other students, or the parents of other students, unless the school is (1) legally required to do so, or (2) the student has authorized such disclosure.

Restroom Accessibility

Students will be allowed to use the restroom that corresponds to the gender identity consistently asserted at school. No student will be required to use a restroom that conflicts with their gender identity. Any student—regardless of gender identity—who requests greater privacy should be given access to an alternative restroom. However, schools may not require a student to use an alternative restroom because of their transgender or gender-expansive status.

Locker Room Accessibility

Use of locker rooms by transgender or gender expansive students will be assessed on a case-by-case basis, with the goal of maximizing transgender or gender expansive student social integration, providing an equal opportunity to participate in physical education classes and athletic opportunities, ensuring the student's safety and comfort, and minimizing stigmatization of the student. The district will take an approach that conforms with OSPI's guidelines. In most cases, the district should provide the student access to the locker room that corresponds to the gender identity consistently asserted at school. Any student who has a need or desire for additional privacy, regardless of the underlying reason, should be provided with a reasonable alternative changing area, such as:

- Use of a private area (e.g., nearby restroom stall with a door, an area separated by a curtain, an office in the locker room, or a nearby health room office restroom); or
- A separate changing schedule (i.e., utilizing the locker room before or after the other students).

No student will be required to use a locker room that conflicts with their gender identity.

Sports and Physical Education Classes

The district will provide all students, including transgender and gender-expansive students, the opportunity to participate in physical education and athletic programs/opportunities in a manner that is consistent with their gender identity.

A student may seek review of their eligibility for participation in interscholastic athletics by working through the Gender Identity Participation procedure set forth in the Washington Interscholastic Activities Association ([WIAA](#)) handbook.

Dress Codes

The district will allow students to dress in a manner that is consistent with their gender identity and/or gender expression within the constraints of the dress codes adopted at their school site and within the constraints of the district guidelines for dress as they relate to health and safety issues (e.g., prohibitions on wearing gang-related apparel). School dress codes will be gender-neutral and will not restrict a student's clothing choices on the basis of gender. The district will take an approach that conforms with OSPI's guidelines.

Other School Activities

In any school activity or other circumstance involving separation by gender (i.e., class discussions, field trips, and overnight field trips), students will be permitted to participate in accordance with the gender identity they consistently assert at school. Teachers and other school employees will make every effort to separate students based on factors other than gender where practicable.

Training and Professional Development

The district will designate one (1) person to be the primary contact regarding [Policy 3213](#) and this procedure relating to transgender or gender expansive students. The primary contact must participate in at least one (1) mandatory training opportunity offered by OSPI. When practical, the district will conduct staff training and ongoing professional development as needed in an effort to build the skills of all staff members to prevent, identify and respond to harassment and discrimination. The content of such professional development should include, but not be limited to:

- Terms and concepts related to gender identity, gender expression, and gender diversity in children and adolescents;
- Appropriate strategies for communicating with students and parents about issues related to gender identity and gender expression, while protecting student privacy;
- Strategies for preventing and intervening in incidents of harassment and discrimination, including bullying and cyber-bullying; and
- District and staff responsibilities under applicable laws and district policies regarding harassment, discrimination, gender identity, and gender expression issues.

Discrimination and Harassment Complaints

Discrimination and harassment on the basis of sex, gender identity, or gender expression are prohibited within the district. It is the responsibility of each school, the district, and all staff to ensure that all students, including transgender and gender expansive students, have a safe school environment. The scope of this responsibility includes ensuring that any incident of discrimination or harassment is given immediate attention and/or reported to the person designated as the primary contact relating to transgender or gender expansive students. The primary contact will communicate with the district's Gender-Inclusive Schools Coordinator.

Complaints alleging discrimination or harassment based on a person's actual or perceived gender identity or expression are to be taken seriously and handled in the same manner as other discrimination and harassment complaints. This includes investigating the incident and taking age and developmentally-appropriate corrective action. Anyone may file a complaint alleging a violation of [Policy 3213](#). Complaints of discrimination based on gender identity or expression will follow the complaint process outlined in the district's Nondiscrimination [Procedure 3210P](#).

The district will share [Policy 3213](#) and this procedure with students, parents/guardians, employees, and volunteers.

Complaints to Board Members Concerning Staff

Policy 4312

The board welcomes constructive feedback about district programs, but the board has a legal and ethical responsibility to protect its staff from unwarranted criticism and/or disruption of school programs. Complaints received by the board or board members will be referred to the superintendent for investigation.

The board will disallow complaints about individual staff members at public board meetings.

The superintendent will develop procedures to handle complaints about district staff, programs, or instructional materials.

Procedure

4312P

Most complaints can be resolved by informal discussions between the citizen and the staff member. Should the matter not be resolved, the building leader should be contacted in an effort to resolve the issue through conferences with the staff member involved and the citizen.

The following procedures apply to the processing of a complaint which cannot be resolved in the manner described above:

1. If the problem is not satisfactorily resolved at the building level, a written complaint should be filed by the citizen to the chief academic officer, deputy superintendent, department manager, or the superintendent. The complaint should describe the problem and what solution seems appropriate. Copies should be sent to the building leader and staff member involved.
2. The building leader and staff member shall respond to the complaint, in writing or in person, to the superintendent, chief academic officer, deputy superintendent, or department manager.
3. The superintendent or designee shall then attempt to resolve the matter through conference with the citizen, staff member and building leader.
4. If the matter is still not resolved, the superintendent shall present the issue to the board in an executive session in accordance with district personnel policies and procedures.
5. This procedure shall govern complaints not covered more specifically by some other district policy or procedure or an applicable collective bargaining agreement. See, for example, Selection and Adoption of Instructional Materials, [Board Policy 2311](#); Sexual Harassment of Students, [Board Policy 3205](#); Nondiscrimination, [Board Policy 3210](#); Sexual Harassment, [Board Policy 5160](#); and Affirmative Action and Nondiscrimination [Procedure 5010P](#).

Affirmative Action and Nondiscrimination

Policy 5010

In correlation with [Board Policy 0010](#), Diversity, Equity, Inclusion, and Belonging, Everett Public Schools is committed to an educational working environment free from discrimination and harassment as described in this policy. This policy and accompanying [procedure](#) prohibit discrimination and harassment of any staff member, volunteers, and contractors who work on behalf of the district.

Equal Employment Opportunity

The district shall provide equal employment opportunity and treatment for all applicants and employees and will not tolerate unlawful discriminatory practices in recruitment, hiring, retention, assignment, transfer, promotion and training. Such equal employment opportunity will be provided without discrimination with respect to a legally protected characteristic, which include the following: race, color, national origin, creed, religion, sex, sexual orientation including gender expression or identity, marital status, age, honorably discharged veteran or military status, disability, or the use of a trained dog guide or service animal by a person with a disability.

Discriminatory Harassment

Discriminatory harassment is unwelcome conduct that is:

1. Directed toward a person based on a protected characteristic;
2. Sufficiently severe or pervasive;
3. Unreasonably interferes with a person's work environment or ability to perform job duties; and
4. The cause of an intimidating, hostile, or offensive environment.

Examples of discriminatory harassment include, but are not limited to:

- Unwelcome jokes or comments about a legally protected characteristic (e.g., racial or ethnic jokes);
- Disparaging remarks to or about a person's legally protected characteristic (e.g., negative or offensive remarks or jokes about a person's religion or religious garments);
- Displaying negative or offensive posters or pictures about a legally protected characteristic;
- Physical conduct toward a person due to that person's legally protected characteristic;
- All communications, including those conveyed electronically, such as by email, telephone or voicemail, text messaging, or social media or other internet use, that directly or indirectly implicates a legally protected characteristic; or
- Any other unwelcome conduct that implicated a legally protected characteristic.

In most instances, discriminatory harassment does not include supervisory or evaluative practices.

Affirmative Action

The district, as a recipient of public funds, is committed to undertake affirmative action which will make effective equal employment opportunities for all employees and applicants for employment. Such affirmative action shall include a review of programs, the setting of goals and the implementation of corrective employment procedures to increase the ratio of aged, persons with disabilities, ethnic minorities, women, and veterans who are under-represented in the job classifications in relationship to the availability of such persons having requisite qualifications. Affirmative action plans may not include hiring or employment preferences based on gender or race, including color, ethnicity or national origin. Such affirmative action will also include recruitment, selection, training, education and other programs.

The superintendent or designee will develop an Affirmative Action Plan which specifies the personnel procedures to be followed by staff of the district and will ensure that no such procedures discriminate against any individual. Reasonable steps will be taken to promote employee opportunities of those classes that are recognized as protected groups—aged, persons with disabilities, ethnic minorities and women and veterans, although under state law, racial minorities, and women may not be treated preferentially in public employment.

Employment of Persons with Disabilities

In order to fulfill its commitment of nondiscrimination to those with disabilities, the following conditions will prevail:

1. No qualified person with disabilities will, solely by reason of a disability, be subjected to discrimination and the district will not limit, segregate or classify any applicants for employment or any staff member in any way that adversely affects their opportunities or status because of a disability. This prohibition applies to all aspects of employment from recruitment to promotions and includes fringe benefits and other elements of compensation.
2. The district will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified disabled applicant or staff member unless it is clear that an accommodation would impose an undue hardship on the operation of the district program. Such reasonable accommodations may include:
 - a. Making facilities used by staff readily accessible and usable by persons with disabilities; and
 - b. Job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters and other similar actions.

In determining whether or not accommodation would impose an undue hardship on the district, factors to be considered include the nature and cost of the accommodation.

3. The district will not use any employment tests or criteria that screen out persons with disabilities unless the test or criteria is clearly and specifically job-related. Also, the district will not use such tests or criteria if alternative tests or criteria (that do not screen out persons with disabilities) are available.
4. While the district may not make pre-employment inquiry as to whether an applicant has a disability or as to the nature and severity of any such disability, it may inquire into an applicant's ability to perform job-related functions.
5. Any staff member who believes that there has been a violation of this policy or the law prohibiting discrimination because of a disability may initiate a grievance through the procedures for staff complaints.

Nondiscrimination for Military Service

The district will not discriminate against any person who is a member of, applies to be a member or performs, has performed, applies to perform or has an obligation to perform service in a uniformed service, on the basis of that participation in a uniformed service. This includes initial employment, retention in employment, promotion or any benefit of employment. The district will also not discriminate against any person who has participated in the enforcement of these rights under state or federal law.

Procedure

5010P

Affirmative Action

The board of directors of the Everett School District recognizes that an Affirmative Action Employment Plan is a sound employment practice, as well as a positive approach toward achieving lasting and equitable human resources policies and procedures.

In accordance with state and federal requirements, the district shall develop an Affirmative Action Plan. Such a plan shall include a work force analysis, a projection of possible work force vacancies, an analysis of activities designed to take appropriate affirmative action and a grievance procedure.

The superintendent or designee shall be responsible for the development, implementation and annual reporting of the Affirmative Action Plan. The overall responsibility for monitoring and auditing this plan shall be assigned to the human resources department.

Nondiscrimination

The district shall provide equal employment opportunity for all applicants and employees in recruitment, hiring, retention, assignment, transfer, promotion and training. The district shall also make reasonable accommodation to the known sensory, mental or physical limitations of an otherwise qualified disabled applicant or employee unless an accommodation would impose an undue hardship on the operation of the district program. District employees shall be free from harassment based on legally protected attributes or characteristics.

In cases where employees or applicants believe that they have been discriminated against on the basis of their legally protected status, that their disabilities have not been reasonably accommodated, or that they have been harassed on the basis of their legally protected status, the employee or applicant may file a complaint using the complaint process set forth in this procedure.

Grievance Procedure

To ensure fairness and consistency, these procedures are to be used in the district's relationship with its staff members, volunteers, or contractors who work on behalf of the district. It specifically governs employment problems covered by state and federal equal employment opportunity laws and/or this affirmative action program, including the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), Titles VII and IX of the Civil Rights Act, the Washington Law Against Discrimination, and/or the district's Affirmative Action Plan. No such person's status with the district will be adversely affected in any way because the staff member utilized these procedures. The assistant superintendent of human resources or designee shall investigate all allegations of noncompliance or discrimination.

1. "Grievance" means a complaint which has been filed by a staff member, volunteer, or contractor relating to alleged violations of any state or federal anti-discrimination laws.

2. "Complaint" means a written charge alleging specific acts, conditions or circumstances, which are in violation of the anti-discrimination laws. The time period for filing a complaint is one (1) year from the date of the occurrence that is the subject matter of the complaint. However, a complaint filing deadline may not be imposed if the complainant was prevented from filing due to:
 - 1) Specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint; or
 - 2) Withholding of information that the district was required to provide under [WAC 392-190-065](#) or [WAC 392-190-005](#). Complaints may be submitted by mail, fax, email or hand-delivery to any district, school or to the district compliance officer responsible for investigating discrimination complaints. Any district employee who receives a complaint that meets these criteria will promptly notify the compliance officer.
3. "Respondent" means the person alleged to be responsible or who may be responsible for the violation alleged in the complaint.

The primary purpose of this procedure is to secure an equitable solution to a justifiable complaint. To this end, specific steps will be taken. The district is prohibited by law from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with their right to file a grievance under this procedure and from retaliating against an individual for filing such a grievance.

Informal Complaints

With regard to ADA matters, a distinction is to be made between a request for accommodation and a complaint. A request for accommodation should be submitted to the assistant superintendent of human resources. The parties should cooperate to resolve any issues of accommodation through an interactive process prior to the filing of a formal complaint. A complaint is to be filed only in the event there is a complaint of noncompliance after a request for accommodation has been made.

At the employee's option, attempts will be made to resolve complaints of discrimination informally, expeditiously and at the closest point of administrative responsibility to the alleged offense. Informal complaints of discrimination of an employee may be reported to his/her supervisor, the Title IX/Civil Rights Compliance Officer, or the assistant superintendent of human resources. The supervisor will be responsible for investigation and resolution of informal complaints. The supervisor may seek assistance or guidance from the district's Title IX/Civil Rights Compliance Officer or assistant superintendent of human resources. The supervisor must notify the complainant of his/her right to file a formal complaint under this policy and procedure. The notice shall be provided in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI of the Civil Rights Act of 1964.

Formal Complaints

- A. The district's assistant superintendent of human resources or designee shall be responsible for monitoring and coordinating the district's compliance with [Chapter 392-190 WAC](#) and related procedures and ensuring that all complaints communicated to the district are promptly investigated and resolved.

The assistant superintendent of human resources is:

Chad Golden
Everett School District No. 2
3900 Broadway
P.O. Box 2098
Everett, WA 98201
cgolden@everettsd.org
Phone: (425) 385-4100

The assistant superintendent of human resources or designee will receive and investigate formal complaints. School or district administrators who receive a formal complaint of discrimination will promptly notify the assistant superintendent of human resources and forward a copy of the complaint.

- B. The allegations of discrimination shall:
 1. Be written;
 2. Be signed by the complainant;
 3. Describe the specific acts, conditions, or circumstances alleged to violate the district's policies or obligations with regard to sexual harassment; and

4. Be filed with the assistant superintendent of human resources within one (1) year after the occurrence that is the subject of the complaint, unless the delay is due to specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint or the district withheld information that was required to be provided under [Chapter 392-190 WAC](#) or related guidelines.
- C. Upon receipt of the complaint, the district's assistant superintendent of human resources or designee will provide the complainant a copy of Procedure 5010P in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI. The district will promptly and thoroughly investigate the complaint. Following completion of the investigation, the assistant superintendent of human resources shall provide the superintendent or designee with a full written report of the complaint and the results of the investigation, unless the matter is resolved to the satisfaction of the complainant without an investigation or prior to the submission of a written report.
- D. The superintendent or designee shall respond in writing to the complainant within thirty (30) calendar days after the district received the written complaint by the district, unless otherwise agreed to by the complainant or if exceptional circumstances related to the complaint require an extension of the time limit. If an extension is needed, the district will notify the complainant in writing of the reasons for the extension and the anticipated response date in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI. At the time, the district responds to the complainant, the district will send a copy of the response to the Office of the Superintendent of Public Instruction.
- E. The response by the superintendent or designee will include:
 1. A summary of the results of the investigation;
 2. Whether the district failed to comply with [Chapter 392-190 WAC](#) or related guidelines;
 3. If the district failed to comply with [Chapter 392-190 WAC](#) or related guidelines, the corrective measures deemed necessary to correct the noncompliance; and
 4. Notice of the complainant's right to appeal under [WAC 392-190-070](#), including where and with whom the appeal should be filed.

The district's response to the complaint will be provided in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency in accordance with Title VI.

- F. Corrective measures necessary to correct any noncompliance shall be instituted as expeditiously as possible, but no later than thirty (30) calendar days after the district's written response to the complainant, unless otherwise agreed to by the complainant.
- G. A complainant may appeal the superintendent or designee's decision to a hearing officer designated by the district to hear the appeal by filing a written notice of appeal with the superintendent on or before the tenth (10th) calendar day from the date the complainant received the superintendent or designee's response. The hearing officer shall not have been involved in the initial complaint or investigation.
- H. Upon receipt of an appeal, the hearing officer shall provide a written appeal decision to the complainant in a timely manner, not to exceed thirty (30) calendar days from the date the district received the appeal, unless otherwise agreed to by the complainant. The appeal decision will include notice of the complainant's right to file a complaint with the superintendent of public instruction under [WAC 392-190-075](#). The appeal decision will be provided in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency in accordance with Title VI. The decision of the hearing officer will include notice of the complainant's right to file a complaint with the Office of the Superintendent of Public Instruction. The district will send a copy of the appeal decision to the Office of the Superintendent of Public Instruction.
- I. In the event a complainant disagrees with the appeal decision of the hearing officer or if the district fails to comply with the procedures in [WAC 392-190-065](#) or [WAC 392-190-070](#), the complainant may file a complaint with the Office of the Superintendent of Public Instruction under [WAC 392-190-075](#). A complaint must be received by the Office Superintendent of Public Instruction within twenty (20) calendar days after the complainant received the hearing officer's written appeal decision.

Mediation of Complaints

- A. The district may offer mediation, at its expense, to resolve a complaint at any time during the complaint procedure. Mediation:
 1. Must be voluntary;
 2. Requires the agreement of the district and the complainant;

3. May be terminated by either party during the mediation process;
 4. Cannot be used to deny or delay a complainant's right to utilize the complaint procedure; and
 5. Be conducted by a qualified and impartial mediator, who is not an employee of the district and who has no personal or professional conflict of interest.
- B. If the parties resolve the complaint through mediation, the parties may execute a legally binding agreement that:
1. Sets forth the resolution;
 2. States that all discussions that occurred during the mediation process will remain confidential and not be used as evidence in any future complaint, due process hearing, or civil proceeding; and
 3. Is signed by both the complainant and a district representative.
- C. The complainant and district may agree to extend the complaint timelines to pursue mediation.

Preservation of Records

The files containing copies of all correspondence relative to each complaint communicated to the district and the disposition, including any corrective measures instituted by the district, shall be retained in the office of the Title IX/Civil Rights Compliance Officer following the State of Washington's [School Districts Records Retention Schedule](#).

Sexual Harassment

Policy 5160

All employees and volunteers will be provided a work environment free from sexual harassment. Sexual harassment is a form of misconduct which undermines the integrity of the employment relationship. Such conduct, whether committed by supervisory or nonsupervisory personnel, is specifically prohibited.

For the purposes of this policy, **sexual harassment** is defined by state and federal laws as any unwelcome sexual advance, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature that:

- Conditions the provision of employment or an aid, benefit or service of the district, either explicitly or implicitly, on the employee's participation in such conduct (quid pro quo harassment); and/or
- Makes the submission to or rejection of that conduct or communication a factor in decisions affecting that individual's employment; and/or
- A reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies an employee equal access to a district program or activity; and/or
- Has the purpose or effect of substantially interfering with an employee's job performance, or of creating an intimidating, hostile, or offensive educational environment; and/or
- Constitutes sexual assault as defined in the Clery Act, 20 U.S.C. 1092(f)(6)(A)(v)), dating violence as defined in 34 U.S.C. 12291(a)(10), domestic violence as defined in 34 U.S.C. 12291(a)(8), or stalking as defined in the Violence Against Women Act ("VAWA"), 34 U.S.C. 12291(a)(30).

Any employee or volunteer who believes they have been subjected to sexual harassment on the job should bring this to the immediate attention of their supervisor, the Affirmative Action officer, or the assistant superintendent of human resources.

All such complaints will be promptly investigated and, where appropriate, immediate corrective action will be taken to end sexual harassment and prevent its recurrence. Corrective action may include disciplinary action, up to and including suspension or termination, against those who violate the sexual harassment policy and support and/or assistance, as appropriate, for individuals who have been subjected to sexual harassment. Disciplinary actions shall be in compliance with collective bargaining agreements and state and federal law. To the highest degree possible, allowing for a fair investigation, complaints will be treated in a confidential manner. Retaliation against employees or volunteers shall not occur because they have made complaints of sexual harassment to management.

Persons who knowingly report false allegations of sexual harassment or corroborate false allegations of sexual harassment will be subject to appropriate discipline or other sanctions.

Reasonable efforts shall be made to inform all employees and volunteers of the district's sexual harassment policy and procedures. These efforts shall include insertion of the policy and procedures in new employee information and volunteer orientation materials.

Informal complaints of sexual harassment by employees or volunteers shall be reported to the employee's or volunteer's supervisor, the Affirmative Action officer, or the assistant superintendent of human resources. The administrator receiving the complaint will be responsible for coordinating the investigation of such complaint with the district's Affirmative Action officer or assistant superintendent of human resources. Formal complaints of sexual harassment shall be processed in accordance with the complaint procedures set forth in [Procedure 5160P](#).

Annually in conjunction with the report to the board of directors on the Affirmative Action Plan, the Affirmative Action officer will review the use and efficacy of the sexual harassment policy and procedures.

Procedure

5160P

Complaint Procedure

These procedures have been developed for the resolution of sexual harassment complaints of employees or volunteers of the district. No person shall be adversely affected in any way because of the utilization of these procedures.

This policy applies to sexual harassment (including sexual violence) targeted at district employees carried out by a student, employee, or a third party involved in school district activities. A formal complaint filed by an employee or filed by or on behalf of a student complainant against an employee respondent will be investigated under the definitions, requirements, and procedures of [Board Policy 3205](#) and [Procedure 3205P](#).

Reports of discrimination and discriminatory harassment will be referred to the district's Title IX/Civil Rights Compliance Officer. Reports of disability discrimination or harassment will be referred to the district's Section 504 Coordinator.

Confidentiality

If a complainant requests their name not be revealed to the alleged aggressor or asks that the district not investigate or seek action against the alleged aggressor, the request will be forwarded to the district Title IX/Civil Rights Compliance Officer for evaluation. Regardless of whether a formal complaint is filed, the district must take prompt and effective steps reasonably calculated to end harassment, eliminate the hostile environment, prevent its reoccurrence, and as appropriate, remedy its effects.

The district Title IX/Civil Rights Compliance Officer should inform the complainant that honoring the request may limit its ability to respond fully to the incident, including pursuing disciplinary action against the alleged aggressor.

If the complainant still requests their name not be disclosed to the alleged aggressor or that the district not investigate or seek action against the alleged aggressor, the district will need to determine whether or not it can honor such a request while still providing a safe and nondiscriminatory environment for all staff and other third parties engaging in district activities, including the person who reported the sexual harassment. Although a complainant's request to have their name withheld may limit the district's ability to respond fully to an individual allegation of sexual harassment, the district will use other appropriate means available to address the sexual harassment.

Informal Complaints

At the employee/volunteer's option, attempts will be made to resolve complaints of discriminatory harassment informally, expeditiously and at the closest point of administrative responsibility to the alleged offense. Informal complaints of discriminatory harassment of an employee/volunteer may be reported to the staff members' supervisor, the Affirmative Action officer, or the assistant superintendent of human resources. The supervisor will be responsible for investigation and resolution of informal complaints. The supervisor may seek assistance or guidance from the district's Affirmative Action Officer or assistant superintendent of human resources.

The supervisor must provide the complainant with a copy of the district's [Board Policy 5160](#) and this procedure, and notify the complainant of the right to file a formal complaint under that policy and procedure. The notice shall be provided in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI of the Civil Rights Act of 1964.

During the course of the informal complaint process, the district will take prompt and effective steps reasonably calculated to end any harassment and to correct any discriminatory effects on the complainant. If an investigation is needed to determine what occurred, the district will take interim measures to protect the complainant before the final outcome of the district's investigation. Informal remedies may include, but is not limited to:

- An opportunity for the complainant to explain to the alleged harasser that the conduct is unwelcome, offensive, or inappropriate, either in writing or face-to-face;
- A statement from a staff member to the alleged harasser that the alleged conduct is not appropriate and could lead to discipline if proven or repeated;
- A general public statement from an administrator in a building reviewing the district sexual harassment policy without identifying the complainant; or
- Providing staff and/or student training.

Informal complaints may become formal complaints at the request of the complainant or because the district believes the complaint needs to be more thoroughly investigated.

Formal Complaints

- A. The district's assistant superintendent of human resources or designee shall be responsible for monitoring and coordinating the district's compliance with [Chapter 392-190 WAC](#) and related procedures and ensuring that all complaints communicated to the district are promptly investigated and resolved.

The Assistant Superintendent of Human Resources is:

Chad Golden
Everett School District No. 2
3900 Broadway
P.O. Box 2098
Everett, WA 98201
cgolden@everettsd.org
Phone: (425) 385-4100

The assistant superintendent of human resources or designee will receive and investigate formal complaints. School or district administrators who receive a formal complaint of discriminatory harassment will promptly notify the assistant superintendent of human resources or designee and forward a copy of the complaint.

- B. The allegations of discriminatory harassment shall:
1. Be written;
 2. Be signed by the complainant;
 3. Describe the specific acts, conditions, or circumstances alleged to violate the district's policies or obligations with regard to sexual harassment;
 4. Clearly indicate a desire for the district to investigate the allegations; and
 5. Be filed with the assistant superintendent of human resources or designee within one (1) year after the occurrence that is the subject of the complaint, unless the delay is due to specific misrepresentations by the district that it had resolved the problem forming the basis of the complaint or the district withheld information that was required to be provided under [Chapter 392-190 WAC](#) or related guidelines.
- C. Upon receipt of the complaint, the district's assistant superintendent of human resources or designee will provide the complainant a copy of [Board Policy 5160](#) and [Procedure 5160P](#) in a language the complainant can understand, which may require language assistance for complainants with limited-English proficiency, in accordance with Title VI. The district will promptly and thoroughly investigate the complaint.
- D. Before initiating the investigation, the district shall provide written notice of the allegations to both the complainant and the alleged aggressor prior to any discussions or interviews, and provide sufficient details known at the time and sufficient time to prepare a response. Specifically, the written notice must include:
- citations to the complaint process set forth in the district's [Board Policy 5160](#) and [Procedure 5160P](#);
 - allegations with sufficient details (identity of parties, conduct alleged to constitute sexual harassment, date, location, implicated policies, etc.);

- a statement indicating the responding party is “presumed not responsible” until a determination is made;
- notice to the right of an advisor of their choice, who may be an attorney;
- notice that the parties may request to inspect and review relevant evidence; and a reminder of the district’s policy not to make false statements or intentionally submit false information.

If additional allegations are subsequently added to the investigation, the district shall provide written notice to all parties of the new allegations.

The investigation process shall:

- treat all parties to the complaint equitably, including providing supportive measures to all parties, if necessary;
 - be conducted by investigator who is free of bias against any of the parties, and who is trained on the definition of sexual harassment and how to conduct a sexual harassment investigation; and
 - utilize the preponderance of the evidence standard to determine whether the conduct violated the definition of sexual harassment as provided in [Board Policy 5160](#) and whether the conduct occurred in the district’s education program or activity.
- E. Simultaneously, the district shall determine whether supportive measures are necessary. “Supportive Measures” are defined as non-disciplinary, non-punitive individualized services, offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent(s). Such measures may include, but are not limited to:
- counseling;
 - extensions of deadlines or other course-related adjustments;
 - modifications of work or class schedules;
 - restrictions on contact between the parties;
 - increased security and monitoring of certain areas of district grounds; and/or
 - paid administrative leave of the respondent(s).
- F. Following completion of the investigation, the assistant superintendent of human resources shall provide the superintendent or designee with a full written report of the complaint and the results of the investigation, including an objective evaluation of all evidence (both inculpatory and exculpatory), unless the matter is resolved to the satisfaction of the complainant without an investigation or prior to the submission of a written report. This report must also be provided to all parties and their representatives, if any, at least ten (10) days before a final decision is made, or in compliance with timelines set forth in any applicable Collective Bargaining Agreement.
- G. After review of the investigative report, the superintendent or designee shall utilize the preponderance of the evidence standard to determine whether the conduct violated the definition of sexual harassment as provided in [Board Policy 5160](#), whether the conduct occurred in the district’s education program or activity, and whether the district complied with [Chapter 392-190 WAC](#) and/or related guidelines.
- H. The superintendent or designee shall respond in writing to the parties within thirty (30) calendar days after the district received the written complaint by the district, unless otherwise agreed to by the parties or if exceptional circumstances related to the complaint require an extension of the time limit. If an extension is needed, the district must notify the parties in writing of the reasons for the extension and the anticipated response date in a language the parties can understand, which may require language assistance for a party with limited-English proficiency, in accordance with Title VI. At the time the district responds to the parties, the district will send a copy of the response to the office of the superintendent of public (OSPI) instruction.
- I. The response by the superintendent or designee will include:
1. A summary of the results of the investigation, including whether the alleged conduct violated the definition of sexual harassment as provided in [Board Policy 5160](#) and whether the conduct occurred in the district’s education program or activity;
 2. Whether the district failed to comply with [Chapter 392-190 WAC](#) or related guidelines;
 3. If the district failed to comply with [Chapter 392-190 WAC](#) or related guidelines, the corrective measures deemed necessary to correct the noncompliance; and

4. Notice of the parties' right to appeal under [WAC 392-190-005](#), including where and with whom the appeal should be filed.

The district's response to the complaint will be provided in a language the parties can understand, which may require language assistance for a party with limited-English proficiency in accordance with Title VI.

- J. Corrective measures necessary to correct any noncompliance shall be instituted as expeditiously as possible, but no later than thirty (30) calendar days after the district's written response to the parties, unless otherwise agreed to by the complainant.
- K. Any party may appeal the superintendent or designee's decision to a hearing officer designated by the district to hear the appeal by filing a written notice of appeal with the superintendent on or before the tenth (10th) calendar day from the date the parties received the superintendent or designee's response. The hearing officer shall not have been involved in the initial complaint or investigation.
- L. Upon receipt of an appeal, the hearing officer shall provide a written appeal decision to the parties in a timely manner, not to exceed thirty (30) calendar days from the date the district received the appeal, unless otherwise agreed to by the party. The appeal decision will include notice of the parties' right to file a complaint with the superintendent of public instruction under [WAC 392-190-075](#). The appeal decision will be provided in a language the parties can understand, which may require language assistance for a party with limited-English proficiency in accordance with Title VI. The decision of the hearing officer will include notice of the parties' right to file a complaint with OSPI. The district will send a copy of the appeal decision to OSPI.
- M. In the event a party disagrees with the appeal decision of the hearing officer or if the district fails to comply with the procedures in [WAC 392-190-065](#) or [WAC 392-190-070](#), that party may file a complaint with OSPI under [WAC 392-190-075](#). A complaint must be received by OSPI within twenty (20) calendar days after the parties received the hearing officer's written appeal decision.

Mediation of Complaints

- A. The district may offer mediation, at its expense, to resolve a complaint at any time during the complaint procedure. Mediation:
 1. Must be voluntary;
 2. Requires the agreement of the district and the all parties;
 3. May be terminated by any party during the mediation process;
 4. Cannot be used to deny or delay a complainant's right to utilize the complaint procedure; and
 5. Be conducted by a qualified and impartial mediator, who is not an employee of the district and who has no personal or professional conflict of interest.
- B. If the parties resolve the complaint through mediation, the parties may execute a legally binding agreement that:
 1. Sets forth the resolution;
 2. States that all discussions that occurred during the mediation process will remain confidential and not be used as evidence in any future complaint, due process hearing, or civil proceeding; and
 3. Is signed by both the all of the parties and a district representative.
- C. The parties and district may agree to extend the complaint timelines to pursue mediation.

The complaint procedure outlined above does not prohibit the processing of complaints by an employee pursuant to complaint procedures established in applicable collective bargaining agreements.

Protection Against Retaliation

Retaliation for filing complaints or otherwise participating, or refusing to participate, in the investigation of an allegation of sexual harassment is strictly prohibited. No individual may intimidate, threaten, coerce, or discriminate against any other individual for the purpose of interfering with any right or privilege secured under the district's policies and procedures and/or state or federal law, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding under this Procedure.

Training and Orientation

A fixed component of all district orientation sessions for staff and regular volunteers will introduce the elements of the district's sexual harassment policies and procedures. Staff will be provided information on recognizing and preventing sexual harassment, including the definition of sexual harassment. Staff will be fully informed of the formal and informal complaint processes and their roles and responsibilities under the policies and procedures.

All of the schools' Title IX Coordinators, district investigators, decisionmakers designated under this Procedure, and any person who facilitates an informal resolution process under this Procedure, shall receive training that includes, but is not limited to, the definition of sexual harassment, the scope of the district's education program and activities, how to properly conduct an investigation and the district's complaint process, appeal rights, informal resolution processes, investigating allegations impartially, conflicts of interest, issues of relevance of evidence including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant, and how to create a report that fairly summarizes relevant evidence.

As part of the information on the recognition and prevention of sexual harassment staff and volunteers will be informed that sexual harassment may include, but is not limited to:

- Demands for sexual favors in exchange for preferential treatment or something of value;
- Stating or implying that a person will lose something if the person does not submit to a sexual request;
- Penalizing a person for refusing to submit to a sexual advance, or providing a benefit to someone who does;
- Making unwelcome, offensive or inappropriate sexually suggestive remarks comments, gestures, or jokes; or remarks of a sexual nature about a person's appearance, gender or conduct;
- Using derogatory sexual terms for a person;
- Standing too close, inappropriately touching, cornering or stalking a person; or
- Displaying offensive or inappropriate sexual illustrations on school property.

All materials used to implement the trainings described above shall be available to members of the public on the district's website and through the district's public records process pursuant to district [Board Policy 4340](#) and [Procedure 4340P](#).

Maintaining Professional Staff/Student Boundaries

Policy 5253

Purpose

This policy provides all staff, students, volunteers, and community members with information about their role in protecting children from inappropriate conduct by adults. This policy applies to all district staff and volunteers. For the purpose of this policy and its procedure, the terms "district staff," "staff member(s)," and "staff" also include volunteers.

General Standards

The board expects all district staff to maintain the highest professional standards when they interact with students. All district staff are required to maintain an atmosphere conducive to learning by consistently maintaining professional boundaries.

Professional staff/student boundaries are consistent with the legal and ethical duty of care that district staff have for students.

The interactions and relationships between district staff and students should be based upon mutual respect, trust, and commitment to the professional boundaries between staff and students in and outside of the educational setting and consist with the educational mission of the district.

District staff will not intrude on a student's physical and emotional boundaries unless the intrusion is necessary to serve a demonstrated educational purpose. An educational purpose is one that relates to the staff member's duties in the district. Inappropriate boundary invasions can take various forms. Any type of sexual conduct with a student is an inappropriate boundary invasion.

Additionally, staff members are expected to be aware of the appearance of impropriety in their own conduct and the conduct of other staff when interacting with students. Staff members will notify and discuss issues with their building administrator or supervisor or human resources whenever they suspect or question whether their own or another staff member's conduct is inappropriate or constitutes a violation of this policy.

A staff member who has knowledge or reasonable cause to believe that a student has been a victim of physical abuse or sexual misconduct by another staff member is required by law to report such abuse or misconduct to the appropriate school administrator. The school administrator shall cause a report to be made to the proper law enforcement agency if the administrator has reasonable cause to believe that misconduct or abuse has occurred. During the process of making a reasonable cause determination, the school administrator shall contact all parties involved in the complaint.

The board recognizes that staff may have familial and pre-existing social relationships with parents/guardians and students. Staff members should use appropriate professional judgment when they have a dual relationship to students to avoid violating this policy, the appearance of impropriety, and the appearance of favoritism. Staff members shall proactively discuss these circumstances with their building administrator or supervisor.

Use of Technology

The board supports the use of technology to communicate for educational purposes. However, when the communication is unrelated to school work or other legitimate school business, district staff are prohibited from communicating with students by phone, email, text, instant messenger, or other forms of electronic or written communication. District staff members are prohibited from engaging in any conduct on social networking websites that violate the law, district policies or procedures, or other generally recognized professional standards. This prohibition includes prohibiting staff from “friending” and/or “following” students on social media.

Staff whose conduct violates this policy may face discipline and/or termination consistent with the district’s policies and procedures, acceptable use agreement, and collective bargaining agreements, as applicable.

The superintendent or designee will develop protocols for reporting and investigating allegations of a failure to maintain professional boundaries and develop procedures and training to accompany this policy.

Procedure

5253P

School employees and volunteers are required to maintain professional and appropriate boundaries in their relationships with students that are consistent with legal and ethical standards of care.

Reporting Violations

All school staff members or volunteers must promptly notify the supervisor of a staff member or volunteer suspected of engaging in a boundary invasion toward a student.

Staff members should:

- Not wait before reporting suspicious behavior or try to determine whether there is an innocent explanation;
- Not confront or discuss the matter with the staff member at issue or with anyone else, but maintain confidentiality to protect privacy and avoid rumors; and
- Document for their own records that they notified an administrator, including to whom and what they reported

Students and their parents/guardians are strongly encouraged to notify the principal or designee if they believe a staff member or volunteer may be engaging in inappropriate boundary invasion conduct with a student.

Boundary Invasion

A boundary invasion is an act or pattern of behavior by a staff member or volunteer that does not have a bona fide health, safety, or educational purpose for the student. Staff members and volunteers shall not engage in boundary invasions of students, which include, but are not limited to, the following:

- A. Any type of inappropriate physical or sexual conduct with a student or any other conduct that violates the board’s policies regarding student welfare, the educational environment, or conduct toward current or former students. Inappropriate physical conduct includes hugging, kissing, or being “overly touchy” with students without any legitimate educational or professional purpose;
- B. Showing intimate or unduly revealing photos to a student or asking a student to provide intimate or unduly revealing photos, taking inappropriate photographs of a student, or taking an inordinate number of photographs of a student;

- C. Any kind of flirtatious or sexual communications with a student;
- D. Singling out a particular student or students for personal attention and friendship beyond the professional staff/student relationship. This includes, but is not limited to, favoring one or more students with special privileges, allowing them to remain in the classroom during non-class times, unilaterally removing a student from another class or activity, or engaging in “peer like” behavior with one or more students;
- E. Providing alcohol, drugs, or tobacco to students or failing to report their use of these substances;
- F. For non-guidance/counseling staff, allowing or encouraging students to confide their personal or family problems and/or relationships. If a student initiates such discussions, staff members shall refer the student to appropriate guidance/counseling staff. In either case, staff involvement should be limited to a direct connection to the student’s school performance;
- G. Sending students on personal errands unrelated to any educational purpose;
- H. Banter, allusions, jokes, or innuendos of a sexual nature with students;
- I. Commenting on a student’s appearance in a flirtatious or sexual nature, or if the comments have no educational value;
- J. Disclosing personal, sexual, family, or employment concerns or other private matters to one or more students;
- K. Addressing students or permitting students to address staff members or volunteers with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- L. Maintaining personal contact (including “friending” or “following”) a student on any social networking application or device;
- M. Sending phone, email, text, instant messenger, or other forms of written or electronic communication to students when the communication is unrelated to schoolwork or other legitimate school business. If staff members have educational or legitimate school business to conduct with students, they should use only district-approved applications to text or call. Communications that are one-way and sent to the entire class may be sent directly to students through one of these applications. If any communication is directed to a small group of students or an individual student, staff shall include a parent/guardian unless doing so would jeopardize the safety, health or welfare of the student. Staff members should use school email addresses and the contact information on file for the student and parent/guardian from the district student information system and not personally collected contact information, except in an emergency situation;
- N. Exchanging or providing personal gifts, cards, or letters with an individual student;
- O. Socializing or spending time with students (including but not limited to activities such as going out for beverages, meals or movies, shopping, traveling and recreational activities) outside of school-sponsored events, except as participants in organized community activities;
- P. Giving a student a ride alone in a vehicle in a non-emergency situation or failing to timely report that occurrence;
- Q. Providing a student with information or views about other students or staff members without a legitimate professional purpose;
- R. Asking a student to keep a secret or not to disclose any inappropriate communications or conduct;
- S. Unnecessarily invading a student’s privacy, (e.g., walking in on the student in the bathroom or a hotel room on a field trip);
- T. Being alone with an individual student out of the view of others; and/or
- U. Any home visits unless other adults are present, the student(s) are invited for an activity related to school, and the student’s parent/guardian and an administrator are informed and have consented.

Investigation and Documentation

When an administrator receives information that a boundary invasion has occurred or might have occurred, the administrator must document, in writing, the concern and provide a copy of the documentation to the appropriate regional superintendent, the district Title IX/Civil Rights Compliance Officer, and general counsel. The Title IX/Civil Rights Compliance Officer will investigate and document the matter, and if a boundary invasion has occurred without a legitimate educational or safety purpose, ensure that appropriate action is taken and documented. The district will maintain a file documenting reports, letters of direction, and discipline relating to professional boundary investigations.

Reminder About Reporting Sexual Abuse

All school personnel who have reasonable cause to believe that a student has experienced sexual abuse by an adult, or another student are required to make a report to Child Protective Services and/or law enforcement. Reporting suspected abuse to the building principal or supervisor does not relieve professional school personnel from their reporting responsibilities and timelines.

Disciplinary Action

Staff member or volunteer violations of this procedure may result in disciplinary action up to and including dismissal. Violations may occur by ignoring professional boundaries, as well as by failing to report another staff member or volunteer who is ignoring professional boundaries. In any disciplinary situation, the superintendent or designee should consider whether the conduct violates the code of professional conduct in [Chapter 181-87 WAC](#) and whether a report to the Office of Professional Practices is warranted.

Training

All new staff members and volunteers will receive training on appropriate staff/student boundaries within three (3) months of employment or beginning of service. Such initial training may be on-line training. Site administration and classified employee supervisors shall see to it that more detailed, live training covering this entire procedure shall occur every two (2) years for all schools and work sites. Site administration and classified employee supervisors will also address professional boundaries at staff meetings early in the year.

Dissemination of Policy and Reporting Protocols

[Board Policy 5253](#) and this procedure will be included on the district website and in all employee, student, and volunteer handbooks. Annually, all administrators and staff will receive copies of the district's reporting protocol.

District Policies and Procedures

SERIES 1000 – BOARD OF DIRECTORS

Policy/ Procedure	Title	Description	Situation to apply
1400S	Board Meeting Schedule	Yearly schedule of school board meetings	<ul style="list-style-type: none"> To attend a school board meeting or refer someone to a meeting.

SERIES 2000 – INSTRUCTION

Policy/ Procedure	Title	Description	Situation to apply
2105/2105P	Educational Research	Procedures and guidelines for staff and other individuals to conduct research activities/projects in Everett Public Schools.	<ul style="list-style-type: none"> All proposals for educationally related research conducted in EPS are to be submitted to the assessment and research department to initiate the approval process. This shall include research by district staff, as well as out-of-district agencies.
2125P	Web-based Resources and Other Online Educational Services	The availability of innovative online technologies to engage students in relevant learning opportunities.	<ul style="list-style-type: none"> Before providing/piloting web resources Before creating a student account, uploading files, or utilizing a communication resource not part of an adopted instructional program Before notifying parents of approved web service not part of an adopted instructional program
2145P	Suicide Prevention	Protocol for school staff to support students expressing suicidal ideation, displaying suicidal behaviors or have attempted to harm themselves.	<ul style="list-style-type: none"> While assessing the risk of student's mental health In the event a student suicide occurs or is attempted When looking for suicide prevention resources
2150P	Co-Curricular Program	Appropriate co-curricular activities are provided contributing to the athletic, intellectual, social, emotional, and physical development of students.	<ul style="list-style-type: none"> Before implementing a new co-curricular activity. While reviewing the qualifications/criteria for a co-curricular program. Cross-reference to 2150.
2151P	Interscholastic Athletics/Activities	The interscholastic activities program includes games, sport competitions or exhibitions for eligible individual students or teams of eligible students.	<ul style="list-style-type: none"> When a new coach has been hired. When assessing a student's eligibility for athletics/activities. When a parent/guardian has questions regarding a student's eligibility. When a guardian requests to transport a student to/from an event. If a student is found potentially in violation of the code of conduct.

			<ul style="list-style-type: none"> • When a student/guardian would like to appeal the school's decision in discipline or exclusion from a sport. • If a student of the opposite gender requests to participate in an interscholastic program.
2153P	Student Group Meetings (Limited Open Forum)	Groups of secondary students want to organize for co-curricular or non-curricular purposes and hold meetings in school facilities.	<ul style="list-style-type: none"> • When a non-curriculum group requests principal recognition of co-curricular status. • Before permitting a co-curricular or non-curriculum group to utilize the school facilities for activities.
2210P	Special Education and Related Services for Eligible Students	Students whose disabilities adversely impact educational performance and who require specially designed instruction. Ensure that disabled students are identified, evaluated, and provided with appropriate educational services.	<ul style="list-style-type: none"> • When reviewing insurance or funding for student's special education provisions and services. • Before engaging with parents/guardians on the student's Individual Education Plan (IEP) • Before referring a child for special education and related services. (Child Find) • Before transitioning a student to special education services or vice versa. • Before disciplining or suspending a student with an IEP or that is undergoing evaluative testing.
2211/2211P	Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973	Ensure that disabled students within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services.	<ul style="list-style-type: none"> • Before accommodating a student with disabilities(s) or impairment(s) in any school service/program. • Before disciplining, a student recognized to have a disabling condition. • When referencing or complying to Section 504 and/or IDEA. • When placing a student in a program not operated by the district. • Before taking action to resolve a legal dispute regarding a student with disabilities.
2311P	Selection and Adoption of Instructional Materials	Procedures for adoption and approval of instructional materials.	<ul style="list-style-type: none"> • Before implementing a social studies adoption. • Before establishing a Curriculum Review Committee. • Before establishing an Instructional Materials Committee or adding a new member. • Before deciding upon a referral for the school board to review. • If an affected staff member would like to appeal a materials decision.

			<ul style="list-style-type: none"> • For parents to challenge a curriculum or excuse a student from participation in curriculum. • Videos shown to students must have high educational merit, meet relevant and meaningful curriculum objectives, and be appropriate for the particular student audience.
2320P	Field Trips	Field trips are natural extensions of the curricular, co-curricular, and interscholastic programs and are opportunities for students to participate in activities and gain learning experiences that cannot be duplicated in the classroom or on the school site.	<ul style="list-style-type: none"> • To obtain approval from building administration to organize/plan. • Before making financial arrangements. • Before planning and communicating to parents/guardians. • Before approving a volunteer adult supervisor. • While reviewing the plausibility of a disabled student participating. • When transportation is required through staff members or non-employee drivers. • When preparing for student health care needs, insurance and emergencies. • When experiencing issues with a student on a field trip.
2321P	Guest Speakers	The district may provide for the use of guest speakers and have procedures for their use and approval including notification of parents/guardians.	<ul style="list-style-type: none"> • Before requesting a guest speaker. • Before the approved guest speaker visits the classroom. • Information for guest speakers to read relating to the topic of government and democracy. • Speakers that are elected or are running for office • Cross reference: 2321 and 2331
2331/2331P	Controversial Issues	The district offers courses of study to afford learning experiences appropriate to the level of student understanding.	<ul style="list-style-type: none"> • Before presenting a controversial topic or class to students. • Obligation for staff to be fair and impartial while facilitating classroom discussions • Before allowing a controversial speaker to present. • In the event a student does not wish to attend a controversial presentation.
2340P	Religious-Related Activities and Practices	The district complies with the United States and Washington State constitutions, federal and state law, and the decisions made by the respective courts in making decisions regarding religious-related activities and practices.	<ul style="list-style-type: none"> • Before instructing in a discipline that may have a religious dimension. • If student declines to participate in a school activity or requests to use school facilities after-hours related to his/her religious beliefs. • Before planning an activity focused on a holiday.

			<ul style="list-style-type: none"> • If a student engages in devotional activity during school programs or in activities before or after school on site. • If a parent/student is aggrieved by practices or activities conducted in the school or district.
2410/2410P	High School Graduation Requirements	Graduation requirements have been established to ensure students are prepared for post-secondary education, training and career with 21st century skills and the foundations needed for lifelong learning.	<ul style="list-style-type: none"> • Before implementing a new secondary course study. • When reviewing a student's graduation requirements.

SERIES 3000 - STUDENTS

Policy/ Procedure	Title	Description	Situation to apply
3122P	Attendance	Regular, consistent, timely attendance is essential to school success, student learning and future employment habits. Teachers will keep a record of student absences and tardiness.	<ul style="list-style-type: none"> • Use for definition of tardy, excused or unexcused absence and requirements for principals and certificated staff to enforce district's attendance policies and procedures.
3204/3204P	Prohibition of Harassment, Intimidation or Bullying of Students	The district maintains a safe and civil educational environment for all students, employees, parents/legal guardians, volunteers and community members that is free from harassment, intimidation and bullying	<ul style="list-style-type: none"> • Reference for steps to take to identify, report, and address HIB and for staff interventions.
3205/3205P	Sexual Harassment of Students	The district maintains a learning environment for students that is free from all forms of discrimination, including sexual harassment. This commitment extends to all students involved in academic, educational, extracurricular, athletic, and other programs or activities of the school, whether that program or activity is in a school facility, on school transportation or at a class or school training held elsewhere.	<ul style="list-style-type: none"> • Definition of harassment, complaint process and corrective actions.
3210/3210P	Nondiscrimination	The district provides equal educational opportunity and treatment for all students in all aspects of the academic and activities program.	<ul style="list-style-type: none"> • Use for definition of nondiscrimination and district's nondiscrimination statement. Complaint process outlined.
3213/3213P	Gender-Inclusive Schools	The district provides an educational environment that is safe and free of discrimination for all students, regardless of sex, sexual orientation, gender identity or gender expression.	<ul style="list-style-type: none"> • Definitions and specific steps for compliance with local, state and federal laws concerning transgender and gender-expansive students.
3224/3224P	Student Dress	Student dress shall only be regulated when, in the judgment of school administrators, there is a	<ul style="list-style-type: none"> • When a student's clothing or something they are wearing disturbs, disrupts, interferes, or

		reasonable expectation that a health or safety hazard, damage to school property or a material and substantial disruption of the educational process will result from the students' dress or appearance.	detracts from the school environment, activity, or meeting educational objectives.
3231P	Searches of Students and their Property	A student and their property may be searched by a principal or principal's designee if there is reasonable suspicion that evidence of a violation of the law or school rules will be uncovered. School staff shall report a student's suspicious activity to the principal or principal's designee prior to initiating a search, except in emergency situations. A search is required when there is reasonable suspicion that a student has a firearm on school grounds, transportation, or at school events.	<ul style="list-style-type: none"> • Process for referring a student's suspicious activity related to possession of unknown property to the principal/designee.
3235/3235P	Protection of Student Personal Information	Education data collected by contracted school service providers is an important component for improving student achievement. District employees play a role in ensuring that school service providers use student personal information in a responsible and ethical manner consistent with privacy protections required under federal and state law.	<ul style="list-style-type: none"> • District employees will consult with the superintendent or designee and/or school or district business officer to verify that any such contract aligns with Chapter 28A.604 RCW, the Student User Privacy in Education Rights (SUPER) Act, as well as any relevant guidelines listed in this procedure.
3244/3244P	Students Riding School Buses or Other District-Provided Transportation	The denial of the privilege of riding the bus is reserved for the principal or their designee.	<ul style="list-style-type: none"> • When a student's conduct on a school bus merits corrective action.
3245/3245P	Technology	To help ensure student safety and digital citizenship in appropriate, ethical online activities, students will be educated about appropriate use of district technology and online behavior.	<ul style="list-style-type: none"> • Use when a student's use of district hardware (computers, laptops, cameras), software, internet, network, or Wi-Fi have been used inappropriately. • Inappropriate actions with other individuals on websites; cyberbullying awareness and response.
3246P	Personal Electronic Devices	The district provides students with the technology they need during the school day to access digital and online learning experiences. However, students may use personal electronic devices (PEDs), such as cell phones, tablets, and other mobile devices while on school property or while attending school-sponsored or school-related activities subject to procedures established by the superintendent.	<ul style="list-style-type: none"> • Guidelines and expectations for students for proper use of PEDs on district property, and disciplinary actions for violations of district policy.
3300/3300P	Student Discipline	Rules of student conduct, designed to provide students with a safe, healthy, and educationally sound environment.	<ul style="list-style-type: none"> • Guidelines for staff authority regarding student discipline and behavioral expectations.

3318	Discipline of Special Education Students	Guidelines for the discipline of students with an Individualized Education Program (IEP) or related services.	<ul style="list-style-type: none"> When the behavior of a special education student is likely to lead to a recommendation of suspension or non-emergency removal.
3319/3319P	Use of Physical Restraint and Isolation with Students	Physical restraint and isolation of a student should be avoided; however, on occasion it may be necessary to use physical restraint or to isolate a student to preserve the safety of students and staff.	<ul style="list-style-type: none"> Definition of physical restraint and isolation, and district process for its use.
3332/3332P	Teacher Responsibilities and Rights	General provisions and procedures for teachers' rights and responsibilities for student behavior expectations.	<ul style="list-style-type: none"> Defining student behavior expectations and teacher's rights, responsibilities and authority to maintain classroom order.
3400/3400P	Student Welfare	Staff are to conduct all school programs and operations in a manner that recognizes the health and safety of students.	<ul style="list-style-type: none"> Expectations and guidelines to minimize the occurrence of situations in which staff members may incur liability for their acts in relation to students.
3401/3401P	Social Emotional Climate	Everett Public Schools supports and promotes school and school district action plans that create, maintain, and nurture physically, emotionally, and intellectually safe, respectful, and positive school and classroom environments that foster equitable, ethical, social, emotional, and academic education for all students.	<ul style="list-style-type: none"> Social emotional climate definitions. Framework of school and classroom climate improvement process: <ul style="list-style-type: none"> ✓ Guiding principles and essential elements ✓ Develop a planning team ✓ Analyze data ✓ Develop a strategic communication plan and a integrated improvement action plan
3416/3416P	Medication at School	Guidelines for the appropriate and authorized storage, administration, and monitoring of prescribed or non-prescribed medication on school grounds.	<ul style="list-style-type: none"> When it is necessary for a student to receive prescribed and/or non-prescribed (over the counter) medication at school. Storage and administration of medication at school under the supervision of a nurse, staff member or parent/guardian. Guidelines for prescriptions of marijuana to students and its prohibition for administration/use at school.
3418/3418P	Animals in Schools	Animals on school property are discouraged and must have direct relevance to the objectives of the instructional program.	<ul style="list-style-type: none"> Guidelines and restrictions for introduction of animals at school.
3421/3421P	Child Abuse and Neglect	Professional school personnel must meet their legal obligation under RCW 26.44.030 to report to Child Protective Services (CPS) or the proper law enforcement agency within forty-eight (48) hours when they have reasonable cause to believe that a child has suffered abuse or neglect.	<ul style="list-style-type: none"> Definitions of child abuse, neglect and exploitation and staff responsibilities for reporting every instance of suspected child abuse, neglect or exploitation.

3530/3530P	Student Fundraising Activities	The solicitation of funds from students, staff and citizens must be limited since students are a captive audience and since solicitation can disrupt the program of the schools.	<ul style="list-style-type: none"> Guidelines and expectations to follow for student fundraising activities.
3600P	Student Records	The district shall maintain those student records necessary for the educational guidance and/or welfare of students, for orderly and efficient operation of schools and as required by law. All information related to individual students shall be treated in a confidential and professional manner.	<ul style="list-style-type: none"> Guidelines for accessibility, maintenance, and FERPA rights pertaining to student records.
3610P	Child Custody	Written guidelines pertaining to rights of non-custodial parents should be readily accessible to direct staff if a non-custodial parent appears without prior notice to meet with the teacher of their child, to visit with their child, or to remove their child from the school premises.	<ul style="list-style-type: none"> Defining rights of non-custodial parents to have access to the classroom, school-sponsored activities, and teaching materials. Guidelines for visits and/or releasing student to non-custodial parent.

SERIES 4000 – COMMUNITY RELATIONS

Policy/ Procedure	Title	Description	Situation to apply
4131P	Confidential Communications	Staff shall follow all applicable laws, regulations and rules regarding release of information about students, personnel, and district programs.	<ul style="list-style-type: none"> Guidelines to follow if a student reveals confidential information that may put them or others in danger.
4205	Use of Tobacco, Nicotine Products and Delivery Devices	To protect students from exposure to the addictive substance of nicotine and to set a smoking-free example for students, employees, students and all community members have an obligation as role models to refrain from the use of tobacco and tobacco-like products on district property.	<ul style="list-style-type: none"> Guidelines to enforce the district's policy for no smoking cigarettes, electronic cigarettes, cigars or any other use of tobacco or tobacco-like products at schools, district buildings, district property and district-owned vehicles. Cross reference: Policy 5140
4207	Regulation of Firearms and Dangerous Weapons on School District Property	It is a violation of district policy and state law for any person to carry a firearm or dangerous weapon on school district property, district-provided transportation or areas of other facilities being used exclusively for school district activities unless specifically authorized by state law.	<ul style="list-style-type: none"> School or district officials will promptly notify the student's parents/guardians and the appropriate law enforcement agency of known or suspected violations of this policy.
4310	Contact with School/District Staff	Certificated staff working at school sites shall be available to consult with parents, citizens, or students for one-half hour before and after the school day.	<ul style="list-style-type: none"> Guidelines for assuring parents have access to their child's classroom for the purpose of observing class procedure, teaching material, and class conduct.
4312P	Complaints to Board Members Concerning Staff	The board welcomes constructive feedback about district programs but the board has a legal and ethical	<ul style="list-style-type: none"> Process to follow for filing/expressing a complaint regarding a staff member.

		responsibility to protect its staff from unwarranted criticism and/or disruption of school programs.	
4314/4314P	Visitors, Animals on District Property and/or Disruption of School Operations	Visits to schools by parents/guardians, other adult residents of the community, and other educators are welcome. In order to manage the risks associated with the presence of dogs or other animals on district property, the superintendent will establish guidelines governing such activity.	<ul style="list-style-type: none"> Guidelines and security measures to follow for minimal disruption when visitors are permitted to observe the educational program. Restrictions applying to dogs and other animals on district property.
4340/4340P	Public Access to District Records	The district shall afford full access to public records concerning the administration and operations of the district in accordance with the Public Records Act. Access to student records is primarily controlled by the Family Educational Rights and Privacy Act FERPA (20 U.S.C. § 1232g. 34 CFR Part 99).	<ul style="list-style-type: none"> When a parent or community member requests to see or be provided copies of district records beyond their normal access online or in regular school communications. Public Records Office CRC – 3900 Broadway 425-385-4188/425-385-4172 (Fax) publicrecords@everettsd.org
4411/4411P	Working Relationships with Law Enforcement, the Department of Children, Youth and Families, and the Local Health Department	The primary responsibility for maintaining proper order and conduct in the schools resides with district staff. Therefore, district staff shall be responsible for holding students accountable for infractions of school rules, which may include minor violations of the law occurring during school hours or at school activities.	<ul style="list-style-type: none"> Protocols for interviews of students by law enforcement, CPS and the county health department on school grounds. Parameters for when a parent must be notified of such actions by the school administrator.
4412	Political Relationships with Government Agencies	The board recognizes and encourages the right of its employees, as citizens, to engage in political activity. School property and school time, supported by public funds, may not be used for political purposes.	<ul style="list-style-type: none"> Guidelines for staff to engage in political activity or who hold elective or appointive public office.

SERIES 5000 – HUMAN RESOURCES

Policy/ Procedure	Title	Description	Situation to apply
5010/5010P	Affirmative Action and Nondiscrimination	The district provides equal employment opportunity for all applicants and employees and will not tolerate unlawful discriminatory practices.	<ul style="list-style-type: none"> Recruitment, hiring, retention, assignment, transfer, promotion, training and reasonable accommodations per the Americans with Disabilities Act (ADA)
5140	Tobacco or Tobacco-Like Products Use Policy Cross reference: Policy 4205	Tobacco or tobacco-like product use is prohibited inside all district facilities, on all district property and in all district vehicles.	<ul style="list-style-type: none"> Employees are subject to this policy, which includes rented or leased facilities to other agencies.
5150	Drug-Free Workplace	The district complies with and prohibits acts involving alcohol, illegal drugs and controlled substances including marijuana	<ul style="list-style-type: none"> Employees, patrons subject to this policy. Workplace includes any district building, property, district-owned vehicle, other

		(cannabis) per the Drug-Free Workplace Act of 1988.	district-approved vehicle used to transport students, off-district property during school-sponsored or approved activity, event, or function.
5160/5160P	Sexual Harassment	All employees and volunteers will be provided a work environment free from sexual harassment.	<ul style="list-style-type: none"> When an employee or volunteer reports unwelcome sexual favor requests, other verbal or physical conduct of a sexual nature as a condition of employment, in employment decisions or it substantially affects the individual's work performance.
5161	Civility in the Workplace	The board commits the district in its entirety to the core value of mutual respect for each person regardless of individual differences or characteristics.	<ul style="list-style-type: none"> Board of Directors, employees, parents, volunteers, contractors and visitors are subject to this policy when uncivil conduct or other forms of disruptive behavior interferes with an employee's ability to accomplish their work and a school's ability to educate its students.
5215	Conflicts of Interest	The purpose of this policy is to provide guidance on activities that may constitute a conflict of interest.	<ul style="list-style-type: none"> Any situation in which a district employee, either for himself/herself or some other person(s), attempts to promote a private or personal interest that interferes with the objective exercise of his/her district duties or for gain/advantage by virtue of his/her position in the district.
5225/5225P	Technology	Use of technology is to improve performance and achievement for all students and employees, and increase productivity and efficiency in day-to-day operations.	<ul style="list-style-type: none"> Provides for employee access to job-appropriate technologies and outlines expectations for appropriate use of available technology.
5253/5253P	Maintaining Professional Staff/Student Boundaries	All employees will maintain the highest professional, moral and ethical standards in interactions with students.	<ul style="list-style-type: none"> When an employee's behavior has no legitimate educational purpose, has the potential to abuse the relationship between the employee and the student, or violates legal and ethical standards of care.
5270	Disciplinary Action and Discharge	The superintendent or designee may take disciplinary action against an employee in accordance with any applicable contract or bargaining agreement or state law.	<ul style="list-style-type: none"> Staff who fail to fulfill their job responsibilities or follow the reasonable directions of their administrators, who conduct themselves on or off the job in ways that negatively impact their effectiveness on the job, or engage in certain other negative behavior and conduct, may be subject to disciplinary action or discharge.
5320/5320P	Leaves of Absence	Consistent with the law, leaves of absence for non-represented employees may be granted.	<ul style="list-style-type: none"> Outlines protocols for leaves of absence for employee groups not associated with a union, e.g. administrators and professional/technical.

5320.9/5320.9P	Family, Medical, and Maternity Leave	Family and Medical Leave will be provided for all eligible employees pursuant to its provisions and Washington state laws/regulations.	<ul style="list-style-type: none"> Applies to all employees who have worked for the district for at least twelve (12) months, and at least 1,250 hours over the previous twelve (12) months, except female employees who are eligible for leave for any period of pregnancy-related illness or disability.
5406/5406P	Shared Leave Program	The district has established and administers a leave sharing program in which qualified employees may donate accrued leave.	<ul style="list-style-type: none"> The purpose of the Shared Leave Program is to provide a mechanism to allow employees to donate annual (vacation) or sick leave to eligible fellow employees in a manner consistent with state law and regulations.

SERIES 6000 – MANAGEMENT SUPPORT

Policy/ Procedure	Title	Description	Situation to apply
6114P	Gifts	Individuals and organizations in the community may wish to contribute additional supplies, equipment or monetary donations to enhance or extend the instructional program.	<ul style="list-style-type: none"> Procedure for staff to follow if money or another type of gift is donated to a school or staff member.
6213P	Reimbursement for Travel Expenses	Travel expenses incurred by employees and board members on approved travel may be reimbursed.	<ul style="list-style-type: none"> Procedure for staff to follow during approved district travel.
6225P	Food and Beverage Consumption	Staff members and others associated with the district are expected to pay for their own food and beverages. However, under certain circumstances the district may expend funds for food and non-alcoholic beverages consumed by staff and others while in the conduct of district business.	<ul style="list-style-type: none"> Procedure for staff to follow when purchasing/providing food for school or district meetings.
6505P	Video Security on School District Grounds or Property	The district is committed to maintaining a safe and positive environment for students, staff and visitors.	<ul style="list-style-type: none"> It is necessary to use video security on district property to ensure the safety of school staff, students and visitors; to protect district property; and to aid in the enforcement of district policies, procedures and rules.
6531	Care of District Property	Staff shall ensure buildings, equipment, furniture and motor vehicles are not abused.	<ul style="list-style-type: none"> District provided equipment, furniture, etc. should be maintained and treated with care.
6540P	School District's Responsibility for Privately-Owned Property	The district shall not make reimbursement for loss or damage to a staff member's personal equipment or material brought to school unless evidence can be shown that it was necessary or highly desirable for use in the school program.	<ul style="list-style-type: none"> If a staff member brings personal equipment or materials for use at school, the district is not responsible for loss or damage.

6550P	Data Security and Privacy	This policy provides guidance and a framework to encourage and support the district's use of data for decision-making purposes to improve student learning, while safe-guarding the security of the data and the privacy of our students, staff and the district as an organization.	<ul style="list-style-type: none"> • Staff members with access to personally identifying student information should consider themselves data users and are responsible to ensure the security of data. This procedure outlines obligations to ensure privacy of student information online following FERPA, COPPA and CIPA.
6571P	Lending of District-Owned Equipment and Books	This policy provides that school equipment may be removed from school property by students or staff members only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities.	<ul style="list-style-type: none"> • If school equipment is to be used off the school site by a staff member, they must have prior approval from the principal and will be fully liable for loss or damage.